



RIO DELL CITY COUNCIL AGENDA
CLOSED SESSION – 5:30 P.M.
REGULAR MEETING - 6:30 P.M.
TUESDAY, JUNE 4, 2019
CITY COUNCIL CHAMBERS
675 WILDWOOD AVENUE, RIO DELL

WELCOME - *By your presence in the City Council Chambers, you are participating in the process of representative government. Copies of this agenda, staff reports and other material available to the City Council are available at the City Clerk's office in City Hall, 675 Wildwood Avenue. Your City Government welcomes your interest and hopes you will attend and participate in Rio Dell City Council meetings often.*



In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting, please contact the Office of the City Clerk at (707) 764-3532. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting. Assistance listening devices are now available for the hearing impaired. Please see the City Clerk for a receiver.

- A. CALL TO ORDER
- B. ROLL CALL
- C. ANNOUNCEMENT OF ITEMS TO BE DISCUSSED IN CLOSED SESSION AS FOLLOWS:
 - 1) 2019/0507.01 – **Conference with Labor Negotiator**
Designated Representative: City Manager Kyle Knopp
Employee Organizations: Rio Dell Police Officers Association,
Rio Dell Employees Association and all Contract Employees
(Pursuant to Gov't Code Section 54957.6)
- D. PUBLIC COMMENT REGARDING CLOSED SESSION
- E. RECESS INTO CLOSED SESSION – 5:30 P.M.
- F. RECONVENE INTO OPEN SESSION – 6:30 P.M.
- G. ORAL ANNOUNCEMENTS
- H. PLEDGE OF ALLEGIANCE

I. CEREMONIAL MATTERS

J. PUBLIC PRESENTATIONS

This time is for persons who wish to address the Council on any matter not on this agenda and over which the Council has jurisdiction. As such, a dialogue with the Council or staff is not intended. Items requiring Council action not listed on this agenda may be placed on the next regular agenda for consideration if the Council directs, unless a finding is made by at least 2/3rds of the Council that the item came up after the agenda was posted and is of an urgency nature requiring immediate action. Please limit comments to a maximum of 3 minutes.

K. CONSENT CALENDAR

The Consent Calendar adopting the printed recommended Council action will be enacted with one vote. The Mayor will first ask the staff, the public, and the Councilmembers if there is anyone who wishes to address any matter on the Consent Calendar. The matters removed from the Consent Calendar will be considered individually following action on the remaining consent calendar items.

- 1) 2019/0604.02 - Approve Minutes of the May 8, 2019 Study Session
(ACTION) 1
- 2) 2019/0604.03 - Approve Minutes of the May 14, 2019 Special Meeting
(ACTION) 9
- 3) 2019/0604.04 - Adopt Resolution No. 1424-2019 approving appointment of representatives to SCORE (Small Cities Organized Risk Effort) **(ACTION)** 17
- 4) 2019/0604.05 – Approve Memorandum of Understanding (MOU) with County of Humboldt for assistance with State of California Housing and Community Development Block (CDBG) Program Administration and authorize City Manager to sign **(ACTION)** 19
- 5) 2019/0604.06 – Approve Employment Agreement for Interim Finance Director Services and authorize City Manager to sign **(ACTION)** 24
- 6) 2019/0604.07 - Authorize Acting Finance Director to sign and submit the City's Annual Transportation Development Act (TDA) Claim **(ACTION)** 30
- 6) 2019/0604.08 – Receive and File Check Register for April 2019 **(ACTION)** 41

L. ITEMS REMOVED FROM THE CONSENT CALENDAR

M. REPORTS/STAFF COMMUNICATIONS

- 1) 2019/0604.09 - City Manager/Staff Update **(RECEIVE & FILE)** 45

N. SPECIAL PRESENTATIONS/STUDY SESSIONS

O. SPECIAL CALL ITEMS/COMMUNITY AFFAIRS

- 1) 2019/0604.10 - Review of draft letter to the County identifying City's concerns regarding the Humboldt Wind Energy Project, authorizing the Mayor to sign and directing staff to submit letter to the County
(DISCUSSION/POSSIBLE ACTION) 50
- 2) 2019/0604.11 - Review and approval of top four (4) Retail Cannabis Proposals **(DISCUSSION/POSSIBLE ACTION)** 62
- 3) 2019/0604-12 - Presentation/Discussion of FY 2019-20 Operating and Capital Budget with direction to staff to return on June 18, 2019 for final adoption **(DISCUSSION/POSSIBLE ACTION)** 64

P. ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

- 1) 2019/0604.13 - Introduction and First Reading (by title only) of Ordinance No. 376-2019 amending Section 8.10 of the Rio Dell Municipal Code (RDMC) creating the Nuisance Advisory Committee and replacing the Nuisance Hearing Committee with a Nuisance Hearing Officer **(DISCUSSION/POSSIBLE ACTION)** 99

Q. COUNCIL REPORTS/COMMUNICATIONS

R. ADJOURNMENT

*The next regular City Council meeting is scheduled for
Tuesday, June 18, 2019 at 6:30 p.m.*

**RIO DELL CITY COUNCIL
STUDY SESSION
MAY 8, 2019
MINUTES**

A Study Session of the Rio Dell City Council was called to order at 6:00 p.m. by Mayor Garnes.

ROLL CALL: Present: Mayor Garnes, Mayor Pro Tem Woodall, Councilmembers
Richter, Strahan and Wilson

Others Present: City Manager Knopp, Finance Director Kerrigan, Community
Development Director Caldwell, Chief of Police Conner,
Water/Roadways Superintendent Jensen, Wastewater
Superintendent Taylor, Accountant Farley and City Clerk
Dunham

STUDY SESSION MATTERS

Budget Study Session – Review of Operating and Capital Budget for FY 2019-2020

City Manager Knopp began by stating that the City Council set priorities for the year with the top five being code enforcement, employee recruitment in the Police Department, street improvements, water and sewer rate studies, and cannabis retail/economic development.

He said that in terms of how the proposed budget aligns with City Council priorities, an additional \$30,000 was allocated for code enforcement, a staffing level of 6.25 sworn officers in the Police Department and one part-time records clerk funded by Measure Z; an additional \$107,000 for streets, as well as funding for water and sewer rate studies. He explained that a new fund was created for an economic development program with a proposed \$300,000 transfer out of General Fund reserves to be used at the Council's discretion. The amount budgeted out of this fund for FY 2019/20 was \$46,400.

Finance Director Kerrigan continued with an overview of the *FY 2019/20 Proposed Operating and Capital Budget Summary by Department and Fund*. Total expenditures proposed were \$4,281,387 representing an increase from the 2018/19 budget of \$119,209. Total proposed revenues were \$4,092,689, which was an estimated increase of \$123,780. She indicated that the increase in revenues are attributed to sales tax revenues coming in higher than anticipated in the current fiscal year, as well as with the passage of Wayfair, use tax amounts received for online revenues that are collected out-of-state and distributed back to California through AB147.

Councilmember Strahan commented that in looking at the numbers from the 2018-19 audited financials, they do not match with the beginning fund balances and asked staff to explain the reason.

Finance Director Kerrigan explained that the reason the financial statements do not match with the budget is that the financial statements include an additional \$1 million in depreciation.

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Mayor Garnes noted that the staff report mentions a proposed transfer of \$300,000 out of the General Fund for economic development with a budgeted amount of only \$46,400 and asked staff to explain the difference.

City Manager Knopp explained that the \$46,400 is the amount budgeted out of this fund for FY 2019/20. He said that the idea was to create a fund, set aside \$300,000 from General Fund reserves, and designate a certain amount for this fiscal year. If the City Council wants to allocate additional funds after adoption of the budget, then staff would come back to the Council for a budget amendment to pull more money from that fund. He noted that a portion of the funds would be used for a CDBG consultant to help administer the CDBG program for the City and explore potential grant opportunities. Other potential uses of those funds could be to provide loans or grants for such things as façade improvements for the downtown businesses, small business loans or anything that would create economic development opportunities. He said that there would need to be legal research done to implement the program.

Councilmember Strahan asked if staff was aware of any grant opportunities for street projects.

City Manager Knopp noted that there are not many grant opportunities for street projects but to the degree that the City becomes eligible for a grant(s), staff would come back to the Council to request approval of the grant application and any required cash match through a budget amendment. He pointed out that in the past, the only way streets were paved was through grants, but most of those grant opportunities have diminished or are very restricted. He noted that even the ATP grant has specific restrictions.

Councilmember Strahan asked if the cash match for grants were in the current funds or set aside in the reserve funds.

City Manager Knopp explained how the water rate study was set up and said that a portion of the water rates, as determined by the City Council is set aside in the water capital fund for capital improvements including any potential grant match. When capital projects are done, the funds are pulled from the capital reserve account, which represents a change in the reserve balance.

Councilmember Wilson referred to the Economic Development fund and said the \$300,000 transfer from the General Fund, minus the \$46,400 projected expenditures ends up with the estimated ending fund balance of \$253,600, which makes sense but questioned how the \$13,920 factors in.

Finance Director Kerrigan explained that the \$13,920 reflects the goal for a 30% reserve balance. She said that the policy requires a 15% minimum reserve fund balance with an overall goal of 30% of annual expenditures.

Councilmember Wilson asked for a breakdown of the \$46,400 projected expenditures for economic development.

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Finance Director Kerrigan referred to the breakdown of expenditures on page 12 of the packet which allocated \$400 for office supplies, \$2,000 for promotional, and \$44,000 for contract/professional services.

Councilmember Strahan asked for an explanation of contract/professional services (5115).

City Manager Knopp explained that a portion of those funds would be used for CDBG assistance. In addition, the next NOFA (Notice of Funding Availability) round is due January 2020 so funds could be used for that or possibly to develop an over-the-counter loan program. He indicated that Paula Mushrush, the County's CDBG representative would be here in July to review City's options related to the CDBG program.

Councilmember Wilson asked what the cost is for her services.

City Manager Knopp indicated that her hourly rate is approximately \$43.

Community Development Director commented that other ideas would include marketing and feasibility studies to identify what types of development are most needed.

City Manager Knopp said that other projects discussed involved the replacement of sewer laterals, and upsizing of the Painter St. line to the Wastewater Treatment Plant.

Discussion continued regarding the criteria used for spending economic development funds.

City Manager explained that any expenditure over \$10,000 requires City Council approval and that he has the authority to move funds within a department up to that amount without Council approval. He noted that there are not many internal transfers done and that it requires a 4/5 vote to the Council to amend the budget.

City Manager Knopp further explained that the idea of the economic development fund is to start conversations regarding the best way to spend the money. Having Paula Mushrush, come in July to discuss the CDBG program is a great way to start those conversations. He said that her assistance is needed to steer the City in the right direction.

Councilmember Strahan asked if the same amount of \$46,400 was allocated for economic development in the last budget, and asked the City Manager what he sees the money being used for.

City Manager Knopp clarified that the economic development fund did not exist last year when the budget was adopted so nothing was allocated. He anticipated the best use of the money as CDBG assistance, the development of a best use inventory for businesses so the information could be given to investors, and a feasibility study to see what type of businesses would be the

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most beneficial to the community. He commented that a discussion with the City Council on long-range planning is essential.

Councilmember Wilson asked if the economic development fund was the only new fund created in the proposed budget.

Finance Director Kerrigan confirmed that it was the only new fund.

Discussion continued regarding the streets funds.

Finance Director Kerrigan explained that the Transportation Development Act (TDA) funds must be spent each year and that fund, along with SB-1 and the RSTP funds should zero out each year.

Councilmember Wilson asked where the \$124,000 in TDA (Transportation Development Act) revenue comes from.

Finance Director Kerrigan explained that TDA funds are allocated through the State for cities to meet their local public transportation needs for mass transit. Each year the City submits a request for approval of its annual TDA claim to HCAOG who is the agency responsible for managing the allocation of funds.

Councilmember Wilson asked for an explanation of the various allocation spreads.

Finance Director Kerrigan explained that in applying governmental accounting practices, it is easy to get lost in the minutia. The best way to avoid that is to create allocations that seem reasonable for the various departments.

Accountant Farley interjected that approximately two years ago, the City's streets funds were audited by the State for the first time in 10 years and the audit passed without a problem.

Director Kerrigan added that all of the City's audits are sound.

Councilmember Strahan commented that she understands how allocations are done and that the biggest problem she sees with the budget is that the sewer fund is losing money. She asked how many years that has been going on.

Finance Director Kerrigan noted that the sewer fund was very healthy when she first started working for the City and that it started going the other way when the City Council approved \$430,000 in expenditures for special projects.

Councilmember Strahan noted that the reduction in sewer rates for RV parks had an effect on the revenues, which is something the Council needs to look at.

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Mayor Pro Tem Woodall asked what the difference is between water late fees and water delinquent fees.

Finance Director Kerrigan explained that the late fee is charged on accounts past due after 30 days and the delinquent fee applies to water that is shut off for non-payment.

Mayor Pro Tem Woodall asked if water rates would increase in the event water usage decreases.

City Manager Knopp said that that there would be some savings in the cost to produce the water and explained the difference between the fixed rate portion versus the volumetric rate portion of the water bill.

Councilmember Strahan questioned the decrease in revenue in the enterprise funds.

Finance Director Kerrigan explained that the reason for the decrease in revenue was that the water usage went down during the winter months, most likely because customers became aware of the 3-month averaging and reduced their usage for those months.

Councilmember Wilson questioned the \$9,800 in the City Council budget for computer maintenance/support (5173).

Finance Director Kerrigan explained that it was included in the budget to cover the cost for Access Humboldt to come down and operate the equipment to record council meetings but the details of that project are still being determined.

Mayor Pro Tem Woodall asked if the Employee Compensation Study was included in the proposed budget.

Finance Director Kerrigan indicated that the Study was not included in the budget and asked for a consensus of the Council as to whether it should be added.

Mayor Pro Tem questioned the \$17,000 increase for dispatch services with Fortuna.

Chief of Police Conner explained that the increase is based on the number of calls for service and said that the City had been getting a fair deal for years.

City Manager Knopp pointed out that because Fortuna's pension costs are a significant portion of the overhead costs, the rate could go up even more. He added that there might be a move countywide to consolidate dispatch services.

Councilmember Strahan questioned the beginning fund balance in reserves of \$5.1 million to the estimated ending fund balance of \$4.9 million noting that the difference is only \$200,000 yet the change in reserves shows \$488,000.

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Finance Director Kerrigan explained the change in reserves has to do with the \$300,000 transfer from the General Fund to the Economic Development Fund and that the \$488,000 number was incorrect.

Councilmember Strahan questioned total salaries and benefits in comparison to the prior year.

City Manager Knopp explained that the variance is related to the vacant positions in the police department.

Chief of Police Conner said that he anticipated the department to be fully staffed by mid-June at 6.25 officers.

Finance Director Kerrigan noted that Measure U has done exceedingly well.

Councilmember Wilson asked if there is a way to extract what Measure U has done for the City noting that the information is needed as a marketing tool. He said that the budget shows the total revenue generated but he would like to see what it specifically made possible.

City Manager Knopp explained that Measure U was presented to the voters as a general tax to be used for any general fund purposes rather than a special tax designed for a specific purpose.

City Clerk Dunham pointed out that essentially the General Fund reserve fund balance would have been that much less without Measure U revenue.

Finance Director Kerrigan agreed and pointed out that the General Fund reserve fund was expected to tank and would have without Measure U revenue.

Councilmember Strahan pointed out that the City is not functioning to just pay wages; it needs to fix its streets.

City Manager Knopp stated that street improvements were identified as one of the Council's top priorities and that the City received un-engineered quotes for some street repairs of \$250,000. He noted that General Fund reserves could be used to do additional street work if that is the desire of the Council.

Councilmember Strahan said that funds are already being taken from reserves.

City Manager Knopp noted that it would be a one-time expense rather than an ongoing expense.

Community Development Director Caldwell pointed out that essentially, that is what reserves are for.

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Finance Director Kerrigan explained that the 30% reserve fund balance is designed to cover three (3) months of city operations.

City Manager Knopp added that the City has a very healthy fund balance, and in many ways is in a good financial position.

He noted that salaries need to be high enough to attract and retain qualified employees and to have staff that can oversee projects properly.

Mayor Pro Tem Woodall asked what it would cost to completely repair Second Ave., emphasizing that citizens have no idea what it costs to fix streets.

City Manager Knopp pointed out that there are drainage problems in that area so the repairs would need to be engineered. He noted that total reconstruction is very costly including the infrastructure under the road. Regular street maintenance and seal coating is much cheaper which is why that is what is usually proposed in order to try to extend the life of the street.

Councilmember Wilson pointed out that if the street measure had passed in 2012 it would have been a disaster because the engineers would likely have found additional work that had not been anticipated.

He reiterated that when the Council and/or staff goes out to market Measure U (local sales tax measure), they need to be able to show citizens specific results of what the tax was able to accomplish going back five or so years.

Finance Director Kerrigan noted that Capital improvements have been significant that would otherwise not have been possible without Measure U revenue. She said the \$300,000 set aside for economic development was just one example.

Discussion continued regarding next steps in the budget process.

City Manager Knopp indicated that the next budget session was scheduled for May 14, 2019 and that there were a couple of other non-budget related items to add to the agenda with possible cancellation of the May 21, 2019 regular meeting.

ADJOURNMENT

The meeting adjourned at 7:47 p.m. to the May 14, 2019 Special Meeting beginning at 6:00 p.m.

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Debra Garnes, Mayor

Attest:

Karen Dunham, City Clerk

**RIO DELL CITY COUNCIL
SPECIAL MEETING MINUTES
MAY 14, 2019**

Mayor Garnes called the Special Meeting of the Rio Dell City Council to order at 6:00 p.m.

ROLL CALL: Present: Mayor Garnes, Mayor Pro Tem Woodall, Councilmembers Strahan and Wilson

Absent: Councilmember Richter

Others Present: City Manager Knopp, Chief of Police Conner, Community Development Director Caldwell, Water/Roadways Superintendent Jensen, Wastewater Superintendent Taylor, Acting Finance Director Farley and City Clerk Dunham

PUBLIC PRESENTATIONS

Gordon Johnson, 165 S. Sequoia Ave. commented that about three (3) weeks ago, he listened to an interview on 94.1, *The Lounge*, and wanted to commend Mayor Garnes and Chamber of Commerce President Angeloff for doing an excellent job in presenting the City of Rio Dell past, present and future, and contrasting it with Fortuna.

Patricia Gabriel, 528 First Ave. addressed the Council regarding people living in vehicles in her neighborhood for months at a time. She said that she has lived there for 15 years and the neighbors at 520 First Ave. have three (3) different groups of people living in vehicles and the RV currently parked there has been there for 5 months.

She indicated that she called the police department on several occasions and was told that it is illegal to live in RV's on the street and was told repeatedly that they are taking care of the problem. She said that the vehicles are moved for a day or two then come right back, sometimes parking in front of her house blocking them in. She noted that this activity brings a bad element of people to the neighborhood and is reaching out to the City Council for help in getting something done.

Nick Angeloff reported on Chamber of Commerce business and announced that Jerry Rohde, noted author, historian and lecturer, will present the first of two free talks at the Rio Dell Chamber office on Friday, May 17th at 7:00 p.m. He invited the Council and the community to attend.

CONSENT CALENDAR

Mayor Garnes asked if any councilmember, staff or member of the public, would like to remove any item from the consent calendar for separate discussion.

Councilmember Strahan removed Item numbers 3 and 4 for separate discussion.

Motion was made by Woodall/Wilson to approve the consent calendar including approval of the minutes of the May 7, 2019 regular meeting; approval of Resolution No. 1422-2019 adopting the Gann Appropriations Limit for FY 2019-20; acceptance of work and authorization to file Notice of Completion and Release of Funds to Kern Construction for the Habitat Parcel soil nail wall, sidewalk and fence; and acceptance of work, authorization to file Notice of Completion and Release of Funds to Mercer Fraser for 2019 Asphalt Street Repairs. Motion carried 4-0.

ITEMS REMOVED FROM CONSENT CALENDAR

Authorize the City Manager and Chief of Police to Sign MOU with the City of Fortuna for Dispatch Services

Councilmember Strahan asked if the increase for dispatch services was included in the new budget.

City Manager Knopp indicated that the budget did reflect the new monthly fee.

Adopt Resolution No. 1423-2019 authorizing the City Manager or designee to execute Right-of-Way Certificates for Transportation Projects using State or Federal funds

Councilmember Strahan asked how many projects the City has, other than the Safe Routes to School Project involving state or federal funding.

City Manager Knopp indicated that there were no current contracts for transportation.

Motion was made by Strahan/Woodall to adopt Resolution No. 1423-2019 authorizing the City Manager or designee to execute Right-of-Way Certificates for Transportation Projects using State or Federal funds. Motion carried 4-0.

SPECIAL MEETING MATTERS

Review Draft Environmental Impact Report (DEIR) Executive Summary and Identify areas of concern

Community Development Director Caldwell provided a staff report and said that staff from the Humboldt County Planning Department attended the May 7, 2019 City Council meeting and provided an overview of the proposed Humboldt Wind Energy Project and associated Draft Environmental Impact Report (DEIR). Councilmembers and citizens had a number of questions and concerns regarding the project including concerns related to visual impacts, agriculture and forest resources, short-term air quality, biological resources, geology and soils, hazards for aircraft, transportation and traffic, and wildfire hazards. Other areas of

concern were retaining the generated energy locally, utilization of local labor, decommissioning the project after its expected 30-year life span and the need for a performance bond, and the desire for a revenue sharing agreement with the City of Rio Dell and Scotia.

Community Development Director Caldwell noted that another possibility that apparently was not considered was the potential offshore wind project off Humboldt Bay. He said the Council might want to recommend that it be considered in the alternative analysis. He said another alternative could be to consider moving the project to Rainbow Ridge or at an alternative location closer to the Bridgeville substation.

He explained that the purpose of the EIR is to evaluate the potential environmental effects of the proposed project and to inform public agencies and the public of the significant environmental impacts, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project to lessen or avoid any of the significant environmental impacts.

He said that this is the time for the Council to review the document, identify concerns and potential recommendations and to direct staff to prepare a letter summarizing those concerns and any proposed alternatives.

Community Development Director Caldwell explained that the EIR provides five alternatives to the proposed project for the public agencies to consider. The five alternatives were as follows:

- 1) No Project
- 2) Realigned Gen-Tie and Access Road
- 3) Reduced Turbine Footprint – Monument Ridge
- 4) Reduced Turbine Count
- 5) Reduced Turbine Footprint – Bear River Ridge

Under CEQA Regulations, the EIR must identify the environmentally superior project alternative, which, in this case is Alternative No. 1, No Project. As such, the EIR must also identify an environmentally superior alternative from among the others. Based on the information provided, Alternative No. 5, *Reduced Turbine Footprint – Bear River Ridge* was considered environmentally superior to the project.

Community Development Director Caldwell explained that the 45-day public review period for review of the DEIR ends on June 5, 2019 so written comments to the County must be postmarked no later than that date. After close of the public review period, responses to the comments on the environmental issues will be made available for review.

Mayor Garnes opened the discussion to public comment.

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Beverly Chang, 2501 Monument Road expressed concerns regarding legal ownership of Terra Gen, which she said is questionable, lack of a public bond, fire hazards, maintenance and upkeep, and possible severe wind damage.

She commented that she respectfully disagrees with the City Manager's advice to the City Council at the May 7, 2019 meeting because if the Council supports any other option than to not support the project and the public comment period closes, the City will not have another opportunity to say they do not want the project. She also said that she does not believe that pushing the project to our neighbors in Scotia is being a good neighbor. The City Council's support of this project in any way would result in an altered view scape for years to come. She said that with regard to her severe fire concerns, she took a picture of the Car Fire and the transmission lines to show what it did to them. In addition, peak wind gusts of up to 69 MPH have been reported at Humboldt Bay and turbines literally can explode with winds that strong.

She also indicated that she had spent a lot of time with the Humboldt County Building Department because of the seismic activity in the area and what was interesting is that they do not know what it is going to take to construct the foundations for the turbines until the plans are engineered. She noted that the depth of the anchors will vary but they assured her that they would be stable enough to withstand most earthquakes.

She questioned how a full EIR could be done without seeing the engineered plans.

Carol Hoopes, 2330 Monument Road mentioned that Terra Gen is owned by two hedge funds and reminded everyone of what Maxam Corp. also owned by a hedge fund, did when they took over Pacific Lumber Co. At the last meeting, the Planning Commission was given five options and the only option she feels is feasible is No. 1, which is *No Project*. She said with all the recent wildfires, why would the City Council want to endorse the project that could cause destruction, deaths and who knows what else to the community. She said that the Humboldt Wind Energy Project is a private project and does not involve PG&E. She said that there is no power purchase in place and questioned who would maintain these high voltage transmission lines spanning over 24 miles. She ended her comments by stating that we do not need hedge fund companies investing in our future and do not need high voltage overhead transmission lines in our forests. She recommended maintaining safety in our community and that no project is built.

David Chang, 2501 Monument Road commented that the ATV (average traffic volume) is unknown on Monument Road and that Terra Gen claims that they will survey the road and put it back to its original condition if any damage is done and pointed out the upper portion of Monument is an oiled surface rather than pavement. He said the slip out at the lower portion of Monument is a concern, as it will continue to slide with increased traffic.

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Mayor Pro Tem Woodall commented that the project describes 117 volts of power being transmitted overhead to the Bridgeville substation and asked why the lines could not be underground. She said she was also concerned about potential decommissioning of the project at the end of the agreement, thought the turbines should be located closer to the Bridgeville substation, why offshore wind energy is not being considered, and the visual impacts to the community. She supported alternative No. 1 for no project.

Councilmember Strahan also opposed the project and pointed out that citizens do not want to look at wind turbines and that people come to Humboldt County for the views. She noted that Rainbow Ridge was mentioned in the Draft EIR but not listed as an alternative location.

Councilmember Wilson commented that he had heard at least six (6) of the Terra Gen presentations and at a meeting in Scotia, they talked about overhead versus underground transmission lines and that they said that it was cost prohibitive to go underground. He said that his biggest concern is that he thinks the EIR needs more time to study the impacts of the project. He used the Eureka-Arcata corridor project as a comparison and said that it took 15 years and \$6 million to do the environmental study. He said that it is not practical to move heavy equipment up Monument Road and at this point, it is up to Rio Dell and Scotia to oppose the project.

He added that the County has expressed desire to go green and Redwood Coast Energy Authority (RCEA) has set the goal to go 100% green by 2025. He explained that they are not bringing power here but buying it out of Washington or southern California so those electrons never actually come to Humboldt County. The owner of this electricity owns it on paper, turns around, and sells it to other places. He said the same thing would apply to this power noting that it would go out to the Bridgeville substation and whatever is needed here would come here and any excess would go east to wherever the grid takes it.

With regard to the offshore wind energy project, the more you hear about it, the farther out it is. He commented to slow this project down; somebody is going to have to file a lawsuit that encompasses the questions and concerns. He said that other than the green power aspect, he does not think the project is a good idea because of the negative impacts.

Mayor Garnes agreed that everyone should strive for green energy but noted that she had not spoken to any citizens in favor of the project here.

Councilmember Wilson commented that most people here are unaware of the project and people north of Rio Dell really do not care because it does not affect them. He pointed out that Frank Basik (Town of Scotia), made a powerful statement regarding cutting of timber and had comments about Monument Creek and potential effects of the project to Scotia's water system.

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Councilmember Strahan said that she liked the letter presented from the Town of Scotia and suggested the City send a letter stating support for alternative No. 1 *No Project* outlining the reasons as discussed at the last meeting.

Mayor Garnes suggested staff bring back a list of its own alternatives; not necessarily the alternatives in the DEIR.

City Manager Knopp suggested staff come back to the Council on June 4, 2019 with two (2) draft letters for consideration; one stating No. 1 *No Project* as the preferred alternative and one with alternative mitigations as discussed.

Mayor Garnes commented that she did not want Rio Dell to be a bad neighbor and was opposed to alternatives that would increase negative effects to Scotia.

Community Development Director Caldwell stated that he agreed with Councilmember Strahan's suggestion and noted that the Council would have an opportunity to submit additional comments after the final EIR is released. He said that during this initial public review process, the city council submits its comments to the Humboldt County Planning Department and they will then respond to all of the comments and concerns as part of the final EIR. The Council would have a chance to review those comments and submit a final letter with any additional comments. He indicated that he would not imagine this going to the County Planning Commission until mid-August.

Councilmember Wilson reiterated that the timeline on the EIR seems aggressive.

It was confirmed that the regularly scheduled meeting for May 21, 2019 would be cancelled.

Motion was made by Woodall/Strahan to direct staff to return to the Council on June 4, 2019 with a draft letter identifying the City Council's preferred alternative as No. 1, *No Project*, with reasons and concerns outlined. Motion carried 4-0.

Budget Study Session – Review of Operating and Capital Budget for FY 2019-2020

City Manager Knopp reviewed two minor corrections to the budget worksheet, which included: 1) \$35,000 for an Employee Compensation Study; and 2) a correction in the calculation for the City-wide change in reserves to reflect the transfer of reserves of \$300,000 (bringing the total to (\$223,698). He explained that with the noted corrections, this is what would be presented to the Council for formal adoption.

Councilmember Wilson said that it appears that the proposed budget includes several studies and that he does not necessarily agree with the Employee Compensation Study. He asked what staff was proposing to do with regard to the water and sewer rate studies.

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City Manager Knopp explained that it is recommended that an assessment be done every five years to make sure the rates are not over or under charged. He said staff is proposing to work with expert consultants, come up with accurate assessments, and bring back recommendations to the Council.

Councilmember Wilson asked if the budgeted amount for the rate studies includes staff time.

City Manager Knopp explained that the amount did not include staff time to put together the data to provide to the consultants.

Councilmember Wilson questioned the budget for slurry seal projects and said he understood that the \$107,000 budgeted last year would be carried over to the next budget with an additional \$107,000 added for a total of \$214,000.

City Manager Knopp explained that with tonight's approval to Mercer Fraser for the 2019 Asphalt Street Repair Project for \$74,972, it leaves a balance of approximately \$30,000, which is carried over, into the new budget bringing the balance to approximately \$137,000 for slurry seal projects. He said that with the construction season divided between fiscal years, funds were just now spent from the 2018-2019 budget. He cautioned the Council that slurry seal bids would be more expensive because the cost was based off a 2017 estimate. With increased gas prices and no funding from Measure Z for roadwork at the County level this year, the bids would likely come in higher. As such, staff might need to come back to the Council for a possible budget amendment for this year's slurry seal project.

Councilmember Wilson then asked if anything was built into the budget for salary adjustments.

Accountant Farley noted that funds were only included for regular step increases.

Councilmember Wilson assumed that staff would come back to Council for a requested budget amendment to cover any negotiated cost of living adjustments (COLA's).

City Manager Knopp said that budget amendments would be necessary to meet any contractual obligations of the City not otherwise provided for in the budget.

Councilmember Strahan asked for clarification on the \$46,000 allocation for Economic Development.

City Manager Knopp explained that a portion of the funds would be used to cover the cost of a consultant to assist the City with the CDBG program and to leverage additional grant dollars. He said that the CDBG program is very complex and highly competitive. The

MAY 14, 2019 MINUTES
Page 8

other idea is to provide funding for third-party studies to help identify the best usage for undeveloped parcels. Some ideas for use of those funds would be to provide grants for facades for buildings in the Town Center, murals, or other programs that CDBG funds will not cover.

Community Development Director Caldwell left the meeting at this time, 6:55 p.m.

City Manager Knopp said that staff would need to come back to the Council to discuss strategies on the best use for those funds noting that with the exception of the \$10,000-\$12,000 earmarked for the CDBG consultant, nothing else has been identified.

Accountant Farley mentioned the other idea was to establish a program for small business loans.

City Manager Knopp said that there would need to be discussion on whether that would be something staff could administer or whether it should be done by a third party. He added that the focus related to economic development has been on the Humboldt Rio Dell Business Park and expressed the need to steer the path toward other economic development opportunities.

Motion was made by Wilson/Woodall to accept the staff report and noted corrections to the draft budget. Motion carried 4-0.

ADJOURNMENT

Motion was made by Woodall/Strahan to adjourn the meeting at 7:02 p.m. to the next regular meeting of June 4, 2019. Motion carried 4-0.

Debra Garnes, Mayor

Attest:

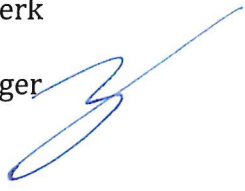
Karen Dunham, City Clerk

675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532



TO: Mayor and Members of the City Council

FROM: Karen Dunham, City Clerk

THROUGH: Kyle Knopp, City Manager 

DATE: June 4, 2019

SUBJECT: Appointment of Representatives to SCORE

RECOMMENDATION

Approve Resolution No. 1424-2019 Appointing Kyle Knopp, City Manager to serve as the City's Representative and Karen Dunham, City Clerk as Alternate on the Board of Directors of SCORE (Small Cities Organized Risk Effort), repealing Resolution No. 1223-2014.

BACKGROUND AND DISCUSSION

The JPA creating SCORE requires the governing body of each member entity to appoint one Representative and one Alternate to the Board of Directors. On June 3, 2014 Brooke Kerrigan was appointed as Representative, replacing Jim Stretch, with Karen Dunham remaining as Alternate. With the recent resignation of Finance Director, Brooke Kerrigan, staff is recommending the City Manager, Kyle Knopp be appointed to serve as the City's representative on the Board.

Attachment:
Resolution No. 1424-2019



RESOLUTION NO. 1424-2019

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
RIO DELL APPOINTING THE REPRESENTATIVE AND
ALTERNATE TO THE BOARD OF DIRECTORS OF SCORE
(Small Cities Organized Risk Effort)
REPEALING RESOLUTION NO. 1223-2014

WHEREAS, Article VIII of the Joint Powers Agreement creating SCORE requires the governing body of each member entity appoint one Representative and one Alternate to the Board of Directors, and

WHEREAS, by previous adoption of Resolution No. 1223-2014, the City had appointed a representative and an alternate to the Board of Directors, and

NOW, THEREFORE, the City Council of the City of Rio Dell does hereby resolve that ***Kyle Knopp, City Manager*** is hereby appointed to serve as the City's Representative on the Board of Directors of SCORE.

BE IT FURTHER RESOLVED that ***Karen Dunham, City Clerk***, is hereby appointed as the Alternate to the City's Representative on the Board of Directors of SCORE.

I HEREBY CERTIFY that the foregoing Resolution was duly introduced, passed and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the 4th day of June 2019 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Debra Garnes, Mayor

ATTEST:

Karen Dunham, City Clerk

*Rio Dell City Hall
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
cityofriodell.ca.gov*



June 4, 2019

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager *3*

SUBJECT: Approval of Memorandum of Understanding (MOU) with County of Humboldt for Assistance with State of California Housing and Community Development Block Grant program Administration

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Authorize the City Manager to sign the MOU.

BACKGROUND AND DISCUSSION

The City previously approved a similar MOU on March 15, 2016.

Community Development Block Grants (CDBG) are one of the main sources of potential outside funding for various projects involving infrastructure or economic development. Rio Dell is considered a non-entitlement jurisdiction, meaning that the City must compete with other jurisdictions for increasingly scarce CDBG funding.

Small cities like Rio Dell can be at a significant disadvantage when attempting to access these programs. CDBG funds are complex to apply for and administer. Perennially changing rules and staff turnover at all levels of government make it difficult for these programs to succeed. The city will need to rely on our partner agencies in order to leverage these funds. In this case, the City would work with the County of Humboldt as it has on previous CDBG related work. The next six months are critical as it can be expected a new NOFA (Notice of Funding Availability) will be issued in early 2020. The Council will be briefed on this matter soon after the agreement is signed.

The attached MOU outlines the relationship, pay rate, and the types of activities the City would receive from County staff.

Approval and signing of the MOU will assist City staff in effectively managing CDBG programs to assist our lower-income residents. Costs associated with this agreement (estimated at \$12,000) will be covered under CDBG administrative funding, though a small amount may be needed from the Economic Development Fund.

///

**MEMORANDUM OF UNDERSTANDING BETWEEN
THE COUNTY OF HUMBOLDT AND THE CITY OF RIO DELL
TO PROVIDE ASSISTANCE ADMINISTERING
CALIFORNIA HOUSING AND COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAMS**

This Agreement is made and entered into this 26th day of June 2019 by and between the County of Humboldt, a political subdivision of the State of California, herein referred to as "HUMBOLDT" and the City of Rio Dell, an incorporated city, herein referred to as "CITY" and collectively referred to as the "PARTIES."

WHEREAS, the PARTIES desire to allow the COUNTY to assist in the management of CITY's Community Development Block Grant (CDBG) projects and programs; and

WHEREAS, the CITY has CDBG program income funding to pay the COUNTY to assist in administration of the CITY's HCD programs and projects; and

WHEREAS, the PARTIES now desire to enter into this Agreement to have the CITY pay the COUNTY to act as a resource and assist in managing the CDBG Housing Programs and other HCD programs.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. COUNTY agrees to answer general questions and assist CITY with CDBG programs and projects as outlined in the Scope of Services in Attachment A, which is incorporated herein by reference.
2. CITY shall compensate COUNTY for all services performed pursuant to this Agreement.
 - a. Compensation shall be billed at a burdened hourly rate. The burdened rate includes salaries and benefits. Burden rates are subject to change. The current rate of the primary staff member assigned to this task is \$43.45. From time to time other staff may be assigned.
 - b. Travel shall be reimbursed at the County prevailing rate, which is currently .58/mile.
 - c. COUNTY will provide CITY with a detailed billing invoice no less than quarterly setting forth both the hours expended and the travel expenses incurred pursuant to this Agreement. CITY shall thereafter pay COUNTY the amount as stated in the billing statement within thirty (30) days of submission of such statement to the CITY.
3. The two primary staff members who will be performing this contract on behalf of the COUNTY and the CITY are listed below. In the event one of these individuals leaves their employment or changes jobs within the COUNTY or CITY, the PARTIES shall notify each other of this fact within ten (10) working days.

County of Humboldt
Paula Mushrush
Economic Development Coordinator
520 E Street
Eureka, CA 95501

City of Rio Dell
Kevin Caldwell
City Planner
675 Wildwood Ave
Rio Dell, CA 95562

4. Term of Agreement: This agreement shall commence upon the signatures of both parties and shall terminate June 31, 2022. Early termination of the Contract may be effectuated by written notice from the County, without the need for action or ratification by the Humboldt County Board of Supervisors, upon twenty (20) days written notice of such termination. Early termination of the Contract may also be effectuated by written notice from the City of Rio Dell, without need for action or ratification by the Rio Dell City Council, upon twenty (20) days written notice of such termination.
5. Any notice required to be given pursuant to the terms and provisions herein shall be sent by First Class Mail, return receipt requested to the following addresses and shall be deemed received when placed in the stream of mail:

County of Humboldt
Director of Planning and Building
3015 H Street
Eureka, CA 95501

City of Rio Dell
City Manager
621 11th Street
Rio Dell, CA 95540

6. The COUNTY and the CITY are separate political agencies, County being a subdivision of the State of California and City being a municipal corporation, and as such, they are independent contractors with respect to each other. This agreement is not intended to, and shall not be construed to, create the relationship of agent, servant, employee, partnership, joint venture, or any other similar association. Nothing in this agreement shall be construed to create an employment relationship between CITY and any employee of COUNTY, or between COUNTY and any employee of CITY. Each party shall be solely responsible for the acts or omissions of its officers, agents, employees, and subcontractors. Neither party's employees shall be entitled to any employee benefits from the other party.
7. CITY shall hold harmless, defend and indemnify COUNTY and its Board of Supervisors, officers, employees, agents and volunteers from and against any and all liability, loss, damage, expense, costs (including without limitation costs and fees of litigation) of every nature arising out of or in connection with COUNTY's performance hereunder or its failure to comply with any of its obligations in this MOU, except such loss or damage as was caused by the sole negligence or willful misconduct of COUNTY.
8. COUNTY shall hold harmless, defend and indemnify CITY and its City Counsel, officers, employees, agents and volunteers from and against any and all liability, loss, damage, expense, costs (including without limitation costs and

fees of litigation) of every nature arising out of or in connection with CITY's performance hereunder or its failure to comply with any of its obligations in this MOU, except such loss or damage as was caused by the sole negligence or willful misconduct of CITY.

9. CITY certifies by its signature below that CITY is not a Nuclear Weapons Contractor, in that CITY is not knowingly or intentionally engaged in the research, development, production, or testing of nuclear warheads, nuclear weapons systems, or nuclear weapons components as defined by the Nuclear Free Humboldt County Ordinance. CITY agrees to notify COUNTY immediately if it becomes a nuclear weapons contractor as defined above. COUNTY may immediately terminate this Agreement if it determines that the foregoing certification is false or if CITY becomes a nuclear weapons contractor.
10. This agreement shall constitute the entire agreement between the PARTIES relating to the subject matter of this agreement, and shall supersede any previous agreements, promises, representation, understanding and negotiation, whether oral or written, concerning the same subject matter. Any and all acts which may have already been consummated pursuant to the terms which are embodied in this agreement are hereby ratified.
11. No addition to, or alteration of, the terms of this Agreement shall be valid unless made in writing and signed by the PARTIES.
12. This agreement shall be construed in accordance with the laws of the State of California. Any dispute arising hereunder or relating to this agreement shall be litigated in the State of California and venue shall lie in the County of Humboldt unless transferred by court order pursuant to Code of Civil Procedure Sections 394 and 395.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement this _____ day of _____, 2019:

COUNTY OF HUMBOLDT

CITY OF RIO DELL

By _____
Rex Bohn
Chairman
Humboldt County Board of Supervisors

By _____
Kyle Knopp
City Manager
City of Rio Dell

SCOPE OF SERVICES

A. General Administrative Tasks

1. COUNTY shall answer general questions and assist the CITY with interpreting HCD regulations.
2. COUNTY shall assist CITY with HCD correspondence and Reports.
3. COUNTY shall submit completed files to CITY for its permanent record.
4. COUNTY and CITY shall work together to ensure State and Federal requirements are met. If the COUNTY becomes aware of any compliance problems staff will summarize the issues and submit a recommended course of action to CITY.

B. HCD Grant Writing and Program Income Waivers

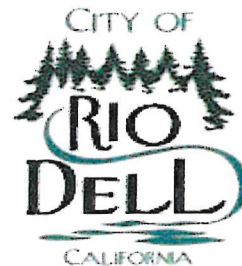
1. COUNTY shall assist CITY in determining eligible projects.
2. COUNTY shall assist in preparing applications and Program Income Waivers.
3. CITY will be responsible for securing City Council approval.

C. HCD Project Management for CDBG Projects.

1. COUNTY shall handle administrative tasks related to clearing special conditions and may act as the be primary contact with HCD staff.
2. CITY will prepare bid, award, and manage contracts associated with monitoring.
3. COUNTY will conduct prevailing wage monitoring or assist the agency in finding a qualified entity to conduct the monitoring.

D. HCD Program Management for CITY CDBG Programs

1. COUNTY shall handle administrative tasks related to clearing special conditions and may act as the be primary contact with HCD staff.
2. COUNTY will assist with basic Program Guidelines.
3. CITY will be responsible for securing City Council approval.
4. COUNTY will either assist with program tasks or will find a qualified entity to assist in managing CDBG programs.



*Rio Dell City Hall
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
cityofriodell.ca.gov*

June 4, 2019

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager 

SUBJECT: Approval of Employment Agreement for Interim Finance Director Services

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Authorize the City Manager to sign the agreement.

BACKGROUND AND DISCUSSION

The City's Finance Director position became vacant on May 10th. Recruitment efforts are underway for the City's next permanent Finance Director, a process that may take many months. In the meantime it is recommended that the City pursue interim services from Cheryl Dillingham.

Ms. Dillingham comes with over 20 years experience in government finance and administration having most recently served as the Interim Auditor-Controller for the County of Humboldt. Additionally she has served as the County's Assistant Chief Administrative Officer (CAO), Deputy CAO, Deputy Auditor Controller and several other noteworthy positions. She also has a Masters of Business Administration.

The position is at-will and expected to cover approximately 24 hours per week. The position will be funded through salary savings in the Finance Department.

///

**CITY OF RIO DELL
INTERIM FINANCE DIRECTOR
EMPLOYMENT AGREEMENT**

This Interim Finance Director Employment Agreement (this "Agreement") is made and entered by and between the **CITY OF RIO DELL**, a municipal corporation of the State of California, hereinafter referred to as "Employer" or "City" and Cheryl Dillingham, hereinafter referred to as "Employee" or "Interim Finance Director", both of whom understand as follows:

RECITALS

A. WHEREAS, Employer desires to hire Employee as a temporary, at-will employee to serve in the position of Interim Finance Director for the City; and

B. WHEREAS, Employee possesses the requisite education, experience, skills and expertise and desires to provide temporary professional services to the City as Interim Finance Director; and

C. WHEREAS, the City wishes to establish the terms and conditions of Employee's services to the City through this Agreement.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties agree as follows:

1. EMPLOYMENT AND DUTIES

1.1. Duties. Employer hereby agrees to employ Cheryl Dillingham as Interim Finance Director of said Employer to perform the functions and duties specified by the City Municipal Code and the California Government Code, and to perform other legally permissible and proper duties and functions as the Interim Finance Director shall from time to time be assigned.

1.2. Work Schedule. Employee shall work those hours necessary to fulfill the obligations of Employee's position, estimated to equal approximately 24 hours per week. Employee's daily and weekly schedule may be set and modified at the direction of the City Manager to accommodate the needs of the City. The Employee will typically perform the duties at City Hall during the City's regular business hours (Monday – Friday, 8:00 a.m. to 5:00 p.m.) but shall also be available for attendance at City Council and other meetings during other hours as may be necessary.

1.3. Employment Status. Employee shall serve at the will and pleasure of the City Manager and City Council and understands that Employee is an "**at-will**" employee, subject to summary dismissal with or without cause without any right of notice or hearing.

1.4. **City Documents.** All data, studies, reports and other documents prepared by Employee while performing Employee's duties during the term of this Agreement shall be furnished to and become the property of the City, without restriction or limitation on their use. All ideas, memoranda, specifications, plans, procedures, drawings, descriptions, computer program data, input record data, written information, and other materials either created by or provided to Employee in connection with the performance of this Agreement shall be held confidential by Employee to the extent permitted by applicable law, and except as may be required by any governmental agency or court of competent jurisdiction. Such materials shall not, without the prior written consent of the City Council, be used by Employee for any purposes other than the performance of her duties. Provided, further that no such materials may be disclosed to any person or entity not connected with the performance of services under this Agreement, except as required by (a) law, (b) any governmental agency, (c) subpoena, or (d) an order issued by a court of competent jurisdiction.

2. **TERM**

2.1 **Term.** The term of this Agreement shall commence on the Effective Date and continue unless terminated earlier pursuant to this Agreement.

2.2. **Termination by City or Employee.** Despite the Term designation recited in Section 2.1., above, the City may terminate this Agreement at any time with or without cause. Additionally, Employee may terminate this Agreement at any time with or without cause, provided, however Employee shall reasonably provide the City Council with at least forty-eight (48) hours of contract time or two (2) weeks' advance written notice prior to the effective date of termination, if practicable, unless a shorter period is acceptable to the City. Employee expressly agrees that Employee shall not be entitled to any severance pay as the result of the termination of this Agreement for any reason whatsoever.

2.3. **Transfer of Responsibilities.** After notice of resignation or termination, Employee shall cooperate with the City, as requested by the City, to effect a transition of Employee's responsibilities and duties and to ensure that the City is aware of all matters being handled by Employee.

3. **COMPENSATION AND REIMBURSEMENT**

3.1. **Compensation.** For the services rendered pursuant to this Agreement, Employee shall be compensated at a rate of \$43 per hour.

3.2. **Benefits.** Employee shall **not accrue** vacation benefits, healthcare benefits, or any other benefits during the term of this Agreement unless required by law.

3.3. **Reimbursable Expenses.** Employee shall not be entitled to reimbursement for any costs or expenses incurred in the performance of Employee's duties under this Agreement, except for mileage/travel expenses. Employer hereby agrees to pay the travel expenses of Employee for official travel of Employee while on City Business, provided that the City

Manager has first approved and authorized said travel expenses. Travel to and from 675 Wildwood Avenue for daily work shall not be reimbursable.

3.4. Bonds. City shall bear the full cost of any fidelity or other bonds, which may be required in the performance of Employee's services under this Agreement.

4. CONFLICTS OF INTEREST

During the term of this Agreement, Employee shall not engage in any business or transaction or maintain a financial interest which conflicts, or reasonably might be expected to conflict, with the proper discharge of Employee's duties under this Agreement. Employee shall comply with all requirements of law, including but not limited to, Sections 87100 et seq., Section 1090 and Section 1125 of the Government Code, and all other similar statutory and administrative rules and city ordinances.

5. NOTICES

Notices pursuant to this Agreement shall be given by deposit in the custody of the United States Postal Service, postage prepaid, addressed as follows:

EMPLOYER
City of Rio Dell
Rio Dell City Hall
675 Wildwood Ave.
Rio Dell, California 95562

EMPLOYEE
Cheryl Dillingham
625 Solaris Lane
Bayside, CA 95524

Alternatively, notices required pursuant to this Agreement may be personally served in the same manner as is applicable to civil judicial practice. Notice shall be deemed given as of the date of personal service or as of the date of deposit of such written in the course of transmission in the United States Postal Service.

6. GENERAL PROVISIONS

7.1 Entire Agreement. This Agreement represents the entire agreement between the Parties and supersedes any and all other agreements, either oral or in writing, between the Parties with respect to Employee's employment by City and contains all of the covenants and agreements between the Parties with respect to such employment. Each Party to this Agreement acknowledges that no representations, inducements, promises or agreements, orally or otherwise, have been made by either Party, or anyone acting on behalf of either Party, which are not embodied herein, and that no other agreement, statement or promises not contained in this Agreement shall be valid or binding upon either party.

7.2 Assignment. This Agreement is not assignable by either the City or Employee.

7.3 **Severability.** In the event any provision of this Agreement is deemed to be invalid, illegal, or unenforceable, all other provisions of the Agreement that are not affected by the invalidity, illegality, or unenforceability shall remain in full force and effect.

7.4 **Modification and Waiver.** This Agreement may not be amended, modified, or supplemented except by written agreement signed by the party against which the enforcement of the amendment, modification, or supplement is sought. No waiver of any of the provisions of this Agreement shall be deemed, or shall constitute, a waiver of any other provision. No waiver shall be binding unless executed in writing by the party making the waiver.

7.5 **Governing Law and Jurisdiction.** This Agreement shall be governed by and construed in accordance with the laws of the State of California, which are in full force and effect as of the date of execution. This Agreement is entered into and is to be performed in Humboldt County, California and any action to interpret or enforce the terms of this Agreement shall be held exclusively in the Humboldt County Superior Court. Employee expressly waives any right to remove any such action from Humboldt County.

7.6 **Effective Date.** This Agreement shall not become effective until it has been approved by the City Council and signed by Employee and the Mayor.

7.7 **Interpretation.** This Agreement shall not be construed against the party or its representatives who drafted it or who drafted any portion thereof.

7.8 **Independent Legal Advice.** The parties acknowledge and agree that each has had the opportunity to seek and utilize legal counsel in the drafting of, review of, and entry into this Agreement.

EMPLOYEE

_____ Date:_____

Interim Finance Director

EMPLOYER

_____ Date:_____

City of Rio Dell
By: Kyle Knopp, City Manager

Approved as to form:

Russell Gans
City Attorney

Date:_____

675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
(707) 764-5480 (fax)



**CITY OF RIO DELL
STAFF REPORT
CITY COUNCIL AGENDA
June 4, 2019**

TO: Mayor and Members of the City Council

THROUGH: Kyle Knopp, City Manager

FROM: Joanne Farley, Acting Finance Director

DATE: June 4, 2019

SUBJECT: Submit Transportation Development Act (TDA) Claim

RECOMMENDATION

Authorize the Acting Finance Director to sign and submit the City's annual TDA Claim

BUDGETARY IMPACT

Total TDA funds of \$164,343

BACKGROUND AND DISCUSSION

Each year the City submits a request for approval of its annual transportation claim to HCOAG. The 2019/20 projected allocation is \$164,343 in comparison to last year's TDA claim of \$124,891. Proposed projects outlined in the City's 2019/20 financial plan includes \$45,298 to be provided to Humboldt Transit Authority for share of costs for transit services within the City, \$6,500 to be provided to the Adult Day Health Care for transportation and \$112,545 for ongoing street repair, maintenance and construction within the City.

ATTACHMENTS

HCAOG Resolution
Claim Request
Annual Project and Financial Plan
Statement of Conformance

APPENDIX C. ANNUAL CLAIM FORMS CHECKLIST FOR ANNUAL LTF & STAF CLAIMS

■ **ALL Claims:** Claimants shall submit items (a) through (e) as part of the claim.

■ **Transit Claims:** An operator or claimant shall submit items (a) thru (i), inclusive, to file a claim.

ALL claims must include items (a) through (e), inclusive.

HCAOG forms for parts (a), (b), and (c) are provided in this Excel file and on-line at www.hcaog.net.

Claimants are responsible for making sure they submit the most current forms.

- ☒ a) This Checklist
- ☒ b) Claim Request form
- ☒ c) Annual Project and Financial Plan form
- ☐ d) Statement of Conformance
- ☐ e) Claimants who want to designate funds for a future, specific capital project must request it as part of a claim. The claim must indicate any reserved monies in the subsequent annual claim(s). Before expending these funds for any other purpose, the claimant must identify its proposed changes in an amended claim or subsequent annual claim. [CCR §6648]
- ☐ f) If not submitted previously, claimants must submit a complete and accurate record of STA expenditures from the 2009/10 fiscal year to present, citing actual vs. budgeted expenditures and a report of excess LTF funds reclassified for future capital purchases. [CCR §6637]

Transit claims must include items (g) through (m):

- ☒ g) To receive an allocation of funds for service outside the claimant's area, a claimant must provide, or have on file with HCAOG, an executed contract pursuant to PUC sections:
- ☐ h) If applicable, a statement identifying and substantiating the reason or need for: (1) increasing the operating budget in excess of 15% above the preceding year; (2) a substantial increase or decrease in scope of operations; or (3) capital provisions for major new fixed facilities.
- ☐ i) A Satisfactory certification by CHP verifying that the operator is in compliance with §1808.1 of the Vehicle Code, as required in PUC §99251. The certification shall have been completed within the last 13 months, prior to filing claims.
- ☒ j) Operating budget. Claimant certifies that its operating budget is not more than 15% greater than its previous year budget unless supported by documentation that substantiates the increase.
- ☐ k) An explanation that summarizes how the claimant has addressed applicable audit findings from annual fiscal and compliance audit.
- ☐ l) An explanation that summarizes how the claimant has addressed applicable audit findings from triennial performance audit reports.
- ☐ m) Claimant certifies that it is making full use of federal funds available under the Federal Transit Act [CCR 6754] (STA claims only)

- ☐ n) Claimant certifies that all purposes for claim expenditures are in conformance with the City/Town or Regional Bicycle Plan. (Bike and Ped claims only)

For full information on claim requirements, see HCAOG's TDA Rules (part IV, "TDA REQUIRED REPORTS" Report #16).

CLAIM REQUEST

Check one:

- ☐ **State Transit Assistance (STA) Fund**
- ☐ **Local Transportation Fund (LTF)**

Claimant: City of Rio Dell

Address: 675 Wildwood Avenue, Rio Dell CA 95562

Contact Person: Joanne Farley

Title: Acting Finance Director

Phone: (707) 764-3532

E-mail: farleyj@cityofriodell.ca.gov

The City of Rio Dell hereby requests, in accordance with the Transportation Development Act (TDA) of 2013, Chapter 1400, and applicable rules and regulations, that the TDA claim be approved in the amount of \$164,343 for fiscal year 2019/2020. These monies are to be drawn from the local transportation fund or the state transit assistant fund held at the County of Humboldt for the purposes and amounts shown in the attached "Annual Project and Financial Plan."

When approved, the claim will be submitted to the County Auditor of the County of Humboldt for payment. Approval of the claim and payment by the County Auditor to this applicant is subject to such monies being on hand and available for distribution, and to the provisions that such monies will be used only in accordance with the terms of the approved annual financial plan.

Authorized representative of claimant:

By: Joanne Farley
(print name)

Title: Acting Finance Director

Signature: _____ Submittal date: 6/5/2019

APPROVED:

By: _____ Date: _____

Marcella Clem

Executive Director, Humboldt County Association of Governments

ANNUAL PROJECT AND FINANCIAL PLAN

Local Transportation Fund (LTF)

Give each project a title and number in sequence, and briefly describe the transportation projects that your jurisdiction proposes. Indicate proposed expenditures for the ensuing fiscal year for all that apply:

- (i) public transportation operating and capital expenditures;
- (ii) construction of facilities for the exclusive use by pedestrians and bicyclists;
- (iii) construction of local streets and roads; and/or
- (iii) right-of-way acquisition.

Claimant: City of Rio Dell

Fiscal Year: 2019/2020

PROJECT (Project number, title, & brief description)	TDA - LTF \$ amount	PUC Article & Section	Local Fund Balance	Other	TOTAL
06-01 HTA/RTS Share Cost	\$ 45,298	4-99260 (a.)	\$ -		\$ 45,298
06/02 HSRC Share of Cost	\$ 6,500	8-99400 (c.)	\$ -		\$ 6,500
06-03 Street Repair, Const. Maint.	\$ 112,545	8-994400 (a.)	\$ -		\$ 112,545
	\$ -	-	\$ -		\$ -
	\$ -	-	\$ -		\$ -
	\$ -	-	\$ -		\$ -
	\$ -	-	\$ -		\$ -
	\$ -	-	\$ -		\$ -
	\$ -	-	\$ -		\$ -
	\$ -	-	\$ -		\$ -
TOTAL	\$ 164,343		\$ -	-	\$ 164,343

Attach a copy of transit revenues and expenditures for the last full fiscal year.

STATEMENT OF CONFORMANCE

LTF

Claimant: City of Rio Dell

Fiscal Year of Claim: 2019/2020

Certify all that apply.

- ☒ LOCAL TRANSPORTATION FUND (LTF) - TRANSIT CLAIM
- ☐ LTF funds are **not** being used for operating
- ☐ LTF FUNDS are being used for operating
- ☐ A total of \$_____ STA funds will also be claimed for operating during this fiscal year.

If funds are being used for Operating
please provide the following
information:

*Provide information for the last
3 audited fiscal years.*

	Previous Fiscal year	Fiscal year	Fiscal year	Fiscal year
System Operating Costs				
System Revenues				
System Vehicle Service Hours				
System operating cost per revenue vehicle hour	\$ -	\$ -	\$ -	\$ -

- ☒ The claimant named above hereby certifies that this annual claim for local transportation funds in the amount of \$112,545 that is not being used for operating conforms with the requirements of Article 8, PUC Section 99400, of the Transportation Development Act of 1971, and applicable rules and regulations.

CERTIFIED BY CLAIMANT:

By: Joanne Farley

Title: Acting Finance Director

Signature: _____

Date: 06/05/2019

STATEMENT OF CONFORMANCE**STA****Claimant:** City of Rio Dell**Fiscal Year of Claim:** 2019/20*Certify all that apply.*☐

STATE TRANSIT ASSISTANCE (STA) FUND - TRANSIT CLAIM

☐

Transit Operator Qualifying Criteria (PUC §99314.6)

☒

STA funds are not being used for operating

☐

STA funds are being claimed for operating

A total of \$ _____ LTF funds will also be claimed for operating during this fiscal year.

STA Only**If funds are being used for Operating
please provide the following
information:***Provide information for the last
3 audited fiscal years.*

System Operating Costs

System Revenues

System Vehicle Service Hours

System operating cost per
revenue vehicle hour

☐

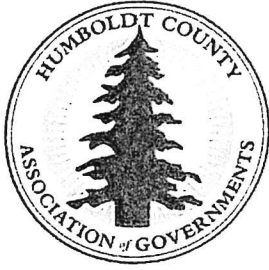
Previous Fiscal year	Fiscal year	Fiscal year	Fiscal year
\$ -	\$ -	\$ -	\$ -

The claimant named above hereby certifies that this annual claim for state assistance funds in the amount of \$ _____ conforms with the requirements of Article 8, PUC Section 99400, of the Transportation Development Act of 2013, and applicable rules and regulations.

CERTIFIED BY CLAIMANT:By: Joanne FarleyTitle: Acting Finance Director

Signature: _____

Date: 06/05/2019



HUMBOLDT COUNTY ASSOCIATION OF GOVERNMENTS
Regional Transportation Planning Agency
Humboldt County Local Transportation Authority
Service Authority for Freeway Emergencies
611 I Street, Suite B
Eureka, CA 95501
(707) 444-8208
www.hcaog.net

RESOLUTION 19-01
RESOLUTION OF THE HUMBOLDT COUNTY ASSOCIATION OF
GOVERNMENTS APPROVING THE TRANSPORTATION DEVELOPMENT ACT
(TDA) LOCAL TRANSPORTATION FUND (LTF) FISCAL YEAR 2019-2020
FINDINGS OF APPORTIONMENT AND ALLOCATION

WHEREAS, the Humboldt County Association of Governments is the Regional Transportation Planning Agency for Humboldt County, and is responsible for the administration of the Transportation Development Act of 1971, as amended thereafter; and

WHEREAS, the Humboldt County Association of Governments has established rules and regulations, consistent with existing law, whereby there shall be a set-aside for pedestrian and bicycle allocations equivalent to 2% of the money remaining in the fund after allocations to higher purposes; and

WHEREAS, the Humboldt County Association of Governments did not make a finding for better use; and

WHEREAS, the County of Humboldt, and the Cities of Arcata, Blue Lake, Eureka, Ferndale, Fortuna, Rio Dell and Trinidad are each required to file annual transportation claims for the funds which remain after necessary expenditures for administration, planning and the 2% set aside for pedestrian and bicycle uses from the Local Transportation Fund (LTF) of Humboldt County, in accordance with their populations, apportioned to them by the Humboldt County Association of Governments, pursuant to the Act; and

WHEREAS, it is the responsibility of the Humboldt County Association of Governments, under the provisions of the Act, to review the annual transportation claims and to make allocations of monies from the LTF; and

WHEREAS, the Auditor of Humboldt County is instructed to pay monies in the fund to the claimants pursuant to allocation instructions received from the Humboldt County Association of Governments; and

WHEREAS, the County Auditor issued an estimate of \$5,474,177 of revenues available for or FY 2019-2020.

NOW, THEREFORE, BE IT RESOLVED that the Humboldt County Association of Governments shall make the following allocations based on population estimates determined by the California Department of Finance:

1. To the Humboldt County Association of Governments for TDA administration and for planning and programming in the amount of \$450,000, per Section 99233.1 and 99233.2.
2. To the Humboldt County Auditor Controller for TDA Administration in the amount of \$4,000, per Section 99243.
3. To be reserved by the Humboldt County Auditor's Office for future reimbursements to the Cities and County for pedestrian and bicycle facilities purposes for local agencies as programmed and claimed in the amount equal to 2% of remaining incoming funds estimated to be \$100,404 per Sections 99233.3 and 99234.
4. To the Cities and County in the amounts listed below, upon review of claims filed:

	Population	%Total	FY 19-20 Allocation	FY 17-18 Year End Balance	FY 19-20 Total Funds Available
Arcata	18,398	13.53%	665,534	-	665,534
Blue Lake	1,280	0.94%	46,303	16,451	62,754
Eureka	26,362	19.38%	953,626	287,429	1,241,055
Ferndale	1,367	1.01%	49,450	12,930	62,380
Fortuna	12,042	8.85%	435,611	154,100	589,710
Rio Dell	3,348	2.46%	121,111	43,232	164,343
Trinidad	340	0.25%	12,299	-	12,299
Humboldt County	72,865	53.58%	2,635,838	890,677	3,526,516
Total	136,002	100.00%	\$ 4,919,773	\$ 1,404,818	\$ 6,324,592

PASSED AND ADOPTED by the Humboldt County Association of Governments, in the City of Eureka, County of Humboldt, State of California, this 21st day of March 2019, by the following vote:

AYES: MEMBERS: Fennell, Pitino, Johnson, Jones, Avis,
West, Strahan, Wilson, Robertson


NOES: MEMBERS: None

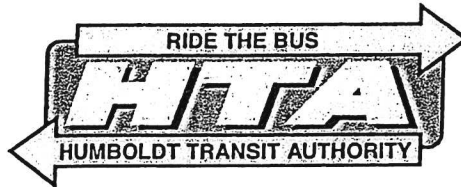
ABSENT: MEMBERS: Seaman

ABSTAIN: MEMBERS: None

Attest:


Christie Smith, HCAOG Executive Assistant


Estelle Fennell, HCAOG Chair



133 V Street
Eureka, CA 95501

A Public Entity Serving Humboldt County Since 1976

Office: (707) 443-0826
Fax: (707) 443-2032
www.hta.org

March 27, 2019

Brooke Kerrigan
City of Rio Dell, Finance Director
675 Wildwood Avenue
Rio Dell, CA 95562

Dear Ms. Kerrigan,

For the purpose of budgeting your TDA funds for fiscal year 2019/20, we wanted to inform you that the Humboldt Transit Authority (HTA) staff is anticipating a 2% increase in member entities TDA contributions for the Redwood Transit System. The estimated amount to the City of Rio Dell for the 2019/20 contribution is \$45,298.

This matter will be brought before the HTA Finance and Operations Committee during the budgeting process, then to the HTA Governing Board of Directors for final approval. If you have any questions regarding this matter please contact me at your earliest convenience.

Sincerely,

Alene Webb
Finance Manager
Humboldt Transit Authority
(707) 443-0826 Ext. 112

cc: Marcella Clem, HCAOG Executive Director
Greg Pratt, Humboldt Transit Authority General Manager

Budget Worksheet by Fund
June 30, 2019

024	<u>6/30/2018</u> <u>Actual</u>	<u>6/30/2018</u> <u>Budget</u>	<u>5/31/2019</u> <u>YTD Actual</u>	<u>6/30/2019</u> <u>Budget</u>	<u>6/30/2020</u> <u>Proposed</u>
<u>Revenue</u>					
4045 Tax - (HCAOG) Transportation - TDA	114,217.00	114,217.00	124,891.00	124,891.00	164,343.00
4310 Interest Income	0.00	0.00	445.00	0.00	0.00
4480 Insurance Premium Reimbursement	39.00	0.00	0.00	0.00	0.00
4920 Misc - Special Public Works	0.00	0.00	7.00	0.00	0.00
4999 Revenue- Reserves	0.00	0.00	0.00	0.00	0.00
Total Revenue	114256	114217	125343	124891	164,343.00
<u>Expenditures</u>					
5000 Full Time Salaries	23,232.00	20,367.00	14,786.00	22,428.00	26,216.00
5030 Overtime Salaries	121.00	95.00	118.00	573.00	830.00
5035 Benefit - ICMA City 457	2,219.00	1,864.00	1,424.00	2,142.00	2,468.00
5040 Benefit - Health Insurance	4,718.00	3,900.00	5,121.00	5,240.00	7,970.00
5041 Health Savings	0.00	0.00	0.00	0.00	
5042 Benefit - Life Insurance	83.00	73.00	71.00	93.00	98.00
5044 Benefit - Dental/Vision Insur	543.00	492.00	601.00	700.00	874.00
5045 Worker Compensation Insurance	3,993.00	3,308.00	1,363.00	2,346.00	3,109.00
5050 FICA	1,946.00	1,618.00	1,195.00	1,708.00	2,195.00
5055 Unemployment Insurance	429.00	339.00	267.00	282.00	293.00
5060 Clothing Allowance	79.00	124.00	36.00	77.00	236.00
5069 Accrued Payroll Taxes Expense	-28.00	-42.00	-54.00	0.00	
5080 Hiring Costs	127.00	81.00	5.00	0.00	
5101 Office Supplies	43.00	78.00	7.00	202.00	188.00
5102 Operating Supplies	216.00	278.00	129.00	518.00	493.00
5103 Postage	31.00	47.00	0.00	58.00	56.00
5104 Printing - Forms	12.00	65.00	4.00	211.00	186.00
5105 Advertising	12.00	26.00	0.00	84.00	79.00
5106 Promotional	0.00	6.00	0.00	11.00	40.00
5107 Memorial Park Expense	0.00	55.00	10.00	22.00	33.00
5108 Streets	5,939.00	6,395.00	3,286.00	7,560.00	7,200.00
5109 Chemicals	0.00	4.00	0.00	2.00	2.00
5110 Accounting	303.00	217.00	75.00	320.00	400.00
5112 Legal	12.00	242.00	56.00	1,036.00	821.00
5115 Contract/Professional Services	46,026.00	49,133.00	42,453.00	51,097.00	52,114.00
5116 Bank Fees	4.00	8.00	0.00	12.00	12.00
5119 Safety Supplies & Equipment	103.00	152.00	48.00	341.00	327.00
5120 Cell Phones	666.00	383.00	261.00	57.00	284.00
5121 Telephone - Pager	225.00	304.00	161.00	727.00	691.00
5122 Training - Conference	18.00	82.00	0.00	334.00	314.00
5123 Automobile - Transportation	72.00	81.00	74.00	233.00	207.00
5125 Publications - Books	0.00	2.00	0.00	7.00	7.00
5126 Dues & Memberships	11.00	44.00	6.00	148.00	136.00
5127 License	0.00	1.00	0.00	4.00	
5128 Employee Relations	0.00	1.00	0.00	3.00	2,-39-

Budget Worksheet by Fund
June 30, 2019

024	<u>6/30/2018</u>	<u>6/30/2018</u>	<u>5/31/2019</u>	<u>6/30/2019</u>	<u>6/30/2020</u>
	<u>Actual</u>	<u>Budget</u>	<u>YTD Actual</u>	<u>Budget</u>	<u>Proposed</u>
5130 Rents - Leases	16.00	105.00	4.00	397.00	373.00
5131 Records Maintenance	9.00	19.00	2.00	47.00	46.00
5135 Maintenance - Repair	849.00	1,255.00	226.00	2,753.00	2,660.00
5136 Parks Maintenance - Repair	0.00	101.00	10.00	40.00	61.00
5138 Office Equipment	32.00	50.00	7.00	122.00	118.00
5139 Equipment	24.00	171.00	641.00	563.00	514.00
5141 General Liability Insurance	1,712.00	1,728.00	0.00	2,772.00	2,644.00
5143 Property Insurance	321.00	305.00	0.00	460.00	442.00
5144 Emp Practice Liab Insurance	140.00	127.00	0.00	180.00	173.00
5150 Electricity	11,248.00	11,214.00	6,995.00	10,346.00	9,863.00
5151 Natural Gas	49.00	41.00	25.00	59.00	55.00
5152 Water	4,296.00	3,831.00	818.00	3,057.00	2,923.00
5153 Sewer	4.00	3.00	2.00	6.00	5.00
5154 Garbage	0.00	0.00	82.00	0.00	
5160 Elections	28.00	28.00	0.00	35.00	
5162 Medical	9.00	11.00	0.00	25.00	24.00
5163 Property Tax Admin Fees	0.00	19.00	0.00	28.00	28.00
5164 Regulatory Fees	209.00	162.00	47.00	38.00	36.00
5166 LAFCO Fees	0.00	9.00	0.00	46.00	37.00
5171 Computer Software	2.00	11.00	0.00	65.00	60.00
5173 Computer Maintenance - Support	53.00	159.00	0.00	592.00	571.00
5174 Web Design Services	1.00	33.00	0.00	90.00	86.00
5212 Gas & Oil	722.00	891.00	329.00	1,837.00	1,755.00
5213 Vehicle Repair	412.00	429.00	133.00	756.00	720.00
5215 Public Works - Small Tools	207.00	215.00	21.00	331.00	885.00
5217 License	0.00	1.00	0.00	4.00	4.00
5227 Public Works - Equip. Repair	483.00	1,209.00	123.00	753.00	726.00
5229 Public Works - Equip. Rental	22.00	42.00	0.00	10.00	15.00
5514 Engineering	2,211.00	2,221.00	750.00	2,421.00	2,302.00
5520 Improvements	0.00	1.00	0.00	6.00	4.00
6100 Fixed Asset - Computer Hardware	0.00	0.00	0.00	400.00	
6500 Special Projects	0.00	0.00	0.00	0.00	43,236.00
8000 Reserve Allocation	0.00	0.00	0.00	0.00	
8010 Contingency	0.00	0.00	0.00	0.00	
Total Expenditures	114,214.00	114,214.00	81,718.00	126,815.00	178,247.00

City of Rio Dell
Check Listing for City Council Meeting

Ref#	Date	Vendor	Description	Amount
7902	4/04/2019	[4109] ACCESS HUMBOLDT	SL FRANCHISE OVERSIGHT ON BEHALF OF LEA'S PER AGREEMENT OF JUNE 1, 2008	270.00
7903	4/04/2019	[6038] ACCURATE TERMITE & PEST SOLUTIONS	MONTHLY RODENT CONTROL @ 475 HILLTOP DR, BL-MONTHLY PEST CONTROL @ 675 WILDWOOD AVE	275.00
7904	4/04/2019	[5235] ADVANTAGE FINANCIAL SERVICES	DOCSTAR USER LICENSES & SYSTEM SOFTWARE	193.00
7905	4/04/2019	[3975] AT&T - 5709	FAX LINE EXPENSES FOR MARCH 2019	21.00
7906	4/04/2019	[6466] BCR ENVIRONMENTAL CORP	NEW ROTARY JOINTS FOR SLUDGE DRYER/BOILER	21,874.00
7907	4/04/2019	[6305] BEAL, NICHOLAS	CUSTOMER DEPOSIT REFUND, CUSTOMER DEPOSIT REFUND	181.10
7908	4/04/2019	[3461] CRIMESTAR CORPORATION	RECORDS MANAGEMENT SYSTEM ANNUAL SUPPORT FEE PER LICENSE	900.00
7909	4/04/2019	[5127] DELTA DENTAL	DENTAL INSURANCE FOR MAY 2019	2,079.30
7910	4/04/2019	[2437] HACH	DR300 - CHLORINE, FREE + TOTAL, W/BOX, POCKET COLORIMETER	478.50
7911	4/04/2019	[2457] HUMBOLDT COUNTY CLERK-RECORDER	MAP COPIES	14.00
7912	4/04/2019	[6410] HUMBOLDT LODGING ALLIANCE	HCTBID TOT ASSESSMENT FEE FOR JANUARY THROUGH MARCH 2019	473.00
7913	4/04/2019	[2471] HUMBOLDT WASTE MANAGEMENT AUTHORITY	E-WASTE EVENT 2018	1,821.00
7914	4/04/2019	[3180] JENSEN, RANDY	REIMBURSEMENT FOR PURCHASE OF TWO HONDA 4" PUMPS	900.00
7915	4/04/2019	[2501] KEENAN SUPPLY	THREADED COMPANION FLANGE DOM; 3X2 HEX BUSHING; GALV STREET 90 ELBOW	80.10
7916	4/04/2019	[6560] EDWARD D LEE	MILEAGE & MEALS PER DIEM TO ATTEND WASTEWATER EXAMINATION	191.80
7917	4/04/2019	[6510] ANDRES T LOPEZ	REIMBURSEMENT FOR MILEAGE/MEALS PER DIEM & LODGING TO ATTEND WATER DISTRIBUTION II EXAM	286.30
7918	4/04/2019	[2551] MIRANDA'S ANIMAL RESCUE	ANIMAL CONTROL FOR MARCH 2019	1,900.00
7919	4/04/2019	[2569] NORTH COAST LABORATORIES, INC.	BIOCHEMICAL OXYGEN DEMAND; NON-FILTERABLE RESIDUE (TSS)	170.00
7920	4/04/2019	[4393] NVLEX.net, Inc.	MONTHLY MAINTENANCE FOR APRIL 1, 2019 THROUGH MAY 15, 2019	1,160.00
7921	4/04/2019	[5973] PRECISION INTERMEDIA	MONTHLY WEB HOSTING FEE FOR APRIL	30.00
7922	4/04/2019	[6349] RECOLOGY EEL RIVER	GARBAGE BAGS FOR MARCH 2019	407.30
7923	4/04/2019	[6561] ZACHERY S RICHARDSON	MILEAGE & MEALS PER DIEM TO ATTEND WASTEWATER EXAMINATION	191.80
7924	4/04/2019	[2657] RIO DELL EMPLOYEES ASSOC	DUES FOR QUARTER ENDING 3/31/19	104.00
7925	4/04/2019	[2659] RIO DELL PETTY CASH	VINEGAR, PEROXIDE; FEDEX; CLEANING SUPPLIES; SOAP; BATTERIES	57.60
7926	4/04/2019	[2668] RWS SERVICES	TWO PORTABLE, VHF RADIOS	1,874.70
7927	4/04/2019	[4525] SHERLOCK RECORDS MGMT	STORAGE SERVICE FOR MARCH 2019	105.20
7928	4/04/2019	[2682] SMALL CITIES ORGANIZED RISK EFFORT (SCORE)	QUARTERLY PREMIUM FOR WORKER'S COMPENSATION INSURANCE 4/1/19 - 6/30/19	23,436.40
7929	4/04/2019	[5984] TOP GEAR INC.	96 CHILDRENS BICYCLE HELMETS	535.40
7930	4/04/2019	[6037] WELLS FARGO VENDOR FIN SERV	KYOCERA COPIER PAYMENT FOR APRIL 2019	534.50
7931	4/09/2019	[0576] 101 AUTO PARTS	BOLTS & FLAT WASHERS, FIVE IND BELTS, BUTT CONNECTORS, BOXED MINIATURES, WIPING CLOTHS; SHOP TOWELS; BLASTERS, FUSE; FUSE HLD, CAP SCREWS; LOCKNUTS; FLAT WASHERS	284.70
7932	4/09/2019	[4109] ACCESS HUMBOLDT	SL FRANCHISE OVERSIGHT ON BEHALF OF LEA'S PER AGREEMENT OF JUNE 1, 2008	270.00
7933	4/09/2019	[5381] ALTERNATIVE BUSINESS CONCEPTS	MONTHLY MAINTENANCE & COPIER CHARGES FOR MARCH 2019	1,195.20
7934	4/09/2019	[2225] AQUA SIERRA CONTROLS, INC	SCADA REPAIRS	2,699.90
7935	4/09/2019	[2293] CITY OF FORTUNA	POLICE DISPATCH SERVICES FOR APRIL 2019, LAB TESTING FOR JANUARY THROUGH MARCH 2019	3,810.00
7936	4/09/2019	[2303] COAST CENTRAL CREDIT UNION	POA DUES FOR PPE 3/29/19	120.00
7937	4/09/2019	[5420] EEL RIVER SCRAP & SALVAGE	C & D MATERIAL	153.00
7938	4/09/2019	[2393] EASTENAL COMPANY	FLASHLIGHTS; HAT HEADLAMPS; BLADES; TIRE INFLATORS; BATTERY PACKS	755.30
7939	4/09/2019	[2405] FORTUNA ACE HARDWARE	VINEGAR; HYDROGEN PEROXIDE; 33 GAL 60CT ACE BAGS W/FLAP, THREE 60# CONCRETE MIX	50.80

City of Rio Dell
Check Listing for City Council Meeting

Ref#	Date	Vendor	Description	Amount
7940	4/09/2019	[5052] GHD, INC	TAC MEETINGS & TRANS PLANNING	1,932.21
7941	4/09/2019	[2437] HACH	aareAGENT SET, CHLORINE FREE CL17	222.00
7942	4/09/2019	[4451] HARBOR FREIGHT TOOLS	AMMO BOX; 13" HD PNEU TIRE W/WHITE HUB; 4PC HEAVY DUTY PRY BAR SET RETURN AMMO BOX; ELEC TAPE; MAGNETIC NUTSETTER SETS; 11" TIES; BLADES; HEAVY DUTY TIES; CABLE TIES	100.80
7943	4/09/2019	[4099] HARPER MOTORS	2019 FORD F-150 4X4 CREW CAB PICKUP	35,781.71
7944	4/09/2019	[2750] HD Supply Facility Maintenance DBA: USA BLUEBOOK	RETURN DRUM PUMP PVC/HYPALON W/6" HOSE REPLACEMENT SCREEN 40 MESH; Y-STRAINER; SULFURIC ACID CONC	207.60
7945	4/09/2019	[2474] HUMMEL TIRE & WHEEL, INC	TIRES FOR 2013 FORD INTERCEPTOR - LICENSE #1435261	702.91
7946	4/09/2019	[6560] EDWARD D LEE	25% BALANCE OF MILEAGE/MEALS PER DIEM AND LODGING REIMBURSEMENT TO ATTEND WW TREATMENT EXAM MATH PREPARATION	161.20
7947	4/09/2019	[2569] NORTH COAST LABORATORIES, INC.	COLIFORM PRESENCE/ABSENCE; TOTAL COLIFORM BACTERIA 3XS, BOD/NFR, ASBESTOS - WATER	475.01
7948	4/09/2019	[6561] ZACHERY S RICHARDSON	25% BALANCE OF MILEAGE/MEALS PER DIEM AND LODGING REIMBURSEMENT TO ATTEND WW TREATMENT EXAM MATH PREPARATION	161.20
7949	4/09/2019	[5376] SCOTTY'S CUTTERS EDGE	WT40 4" TRASH PUMP	3,680.61
7950	4/09/2019	[2693] SHELTON'S AUTO LUBE	FULL OIL CHANGE FOR 2014 FORD INTERCEPTOR - LICENSE #1435261	56.51
7951	4/09/2019	[2319] SUDDENLINK	MONTHLY BROADBAND, INTERNET & PHONE SERVICE 4/10/19 - 5/9/19	829.70
7952	4/09/2019	[4908] THE MITCHELL LAW FIRM, LLP	LEGAL SERVICES FOR MARCH 2019, LEGAL SERVICES FOR MARCH 2019, LEGAL SERVICES FOR MARCH 2019, LEGAL SERVICES FOR MARCH 2019, LEGAL SERVICES FOR MARCH 2019	2,392.11
7953	4/09/2019	[2481] VANTAGEPOINT TRANSFER AGENTS-304361	RETIREMENT FOR PPE 3/29/19	6,552.40
7954	4/09/2019	[2787] WYCKOFF'S	6" HAND WATER PUMP, ADAPTER; 40' VINYL BRAIDED TUBING; GALV NIPPLES, TEES, ELBOWS, COUPLING, GALV ELBOW, COUPLING; BLUE MONSTER GLUE, 2" PVC PVC SCH 80 COUPLING; 2" ADAPTER	174.51
7955	4/17/2019	[2237] BANK OF AMERICA BUSINESS CARD	DOLLAR GENERAL - COTTON SWABS, ADOBE PRO DC MONTHLY SUBSCRIPTION, SHELL OIL - DIESEL FUEL, DOLLAR GENERAL - BOWL BRUSHES, LEXMARK - T630 HIGH YIELD TONER CARTRIDGE, DOLLAR GENERAL - COTTON SWABS, TRIBUTE BLACK, DOLLAR GENERAL - INDEX DIVIDERS, LOST COAST OUTPOST - 2 WEEK EMPLOYMENT ADVERTISEMENT FOR UTILITY WORKER I, CRAIGSLIST - 2 POSTINGS FOR EMPLOYMENT ADVERTISEMENT FOR PART TIME UTILITY WORKER, AMAZON - OSTRICH AC ADAPTER CHARGER 24W 12V, ATI - AUTO-CHEM REAGENT TUBING KIT; AUTO-CHEM SAMPLE PUMP (INLET & OUTLET) TUBING KIT; AUTO-CHEM SAMPLE PUMPS, AMAZON - 50 PK 4X8" POLY BUBBLE MAILERS , AMAZON - 2 JABRA TOUR BLUETOOTH-IN-CAR SPEAKERS, AM AMAZON - DELTROL 12VDC SOLENOID COIL 16W HYDRAULIC POWER UNIT LIFT DUMP, AMAZON - FRAMES, BROWNELLS INC - LEO RECOIL REDUCING BUTTSTOCK KIT, REM 870, LODGING TO ATTEND SCORE BOD MEETING, AMAZON - FRAME, COSTCO - GLOVES, HARPER MOTORS - REPAIR EXHAUST PIPES ON 2014 FORD EXPLORER, FEDEX - SHIPPING, AMAZON - 42W LINKABLE LED SHOP LIGHTS	2,866.40
7956	4/17/2019	[6021] ANGELA BOLDT	CUSTOMER DEPOSIT REFUND	43.90
7957	4/17/2019	[4603] CALIF. BUILDING STANDARDS COMMISSION	PERMIT ASSESSMENT FEES FOR JANUARY THROUGH MARCH 2019	99.91
7958	4/17/2019	[2340] DEPARTMENT OF JUSTICE ACCOUNTING OFFICE	BLOOD ALCOHOL ANALYSIS FOR MARCH 2019	35.00
7959	4/17/2019	[2342] DEPT OF CONSERVATION DIVISION OF ADMIN.	STRONG MOTION INSTRUMENTATION & SEISMIC HAZARD MAPPING FEE FOR JANUARY THROUGH MARCH 2019	328.30
7960	4/17/2019	[5568] DIVISION OF THE STATE ARCHITECT	DISABILITY ACCESS & EDUCATION FEES FOR JANUARY THROUGH MARCH 2019	6.01
7961	4/17/2019	[5739] EARLEY, SIERRA & UMBRELLIO, NICOLAS	CUSTOMER DEPOSIT REFUND	87.91

City of Rio Dell

Check Listing for City Council Meeting

Ref#	Date	Vendor	Description	Amount
7962	4/17/2019	[2386] EUREKA RUBBER STAMP CO.	FIVE 2X10 WALNUT/WHITE NAME PLATES; FIVE 2X10 GOLD WALL SLIDE	106.37
7963	4/17/2019	[2405] FORTUNA ACE HARDWARE	CEC BULB; CONTRACTOR TRASH BAGS; FOUR GAL DISTILLED VINEGAR, TWO BAGS 60# QUIKRETE MORTAR MIX, DESK STAPLER; 5# RECYCLED TOWELS; WALL CLOCK	97.56
7964	4/17/2019	[6493] SCOTT J GUY	REIMBURSEMENT FOR MILEAGE/MEALS PER DIEM AND LODGING TO ATTEND D2 WATER OPERATOR TEST	328.15
7965	4/17/2019	[5942] KEENAN & ASSOCIATES	HEALTH INSURANCE FOR MAY 2019	20,821.98
7966	4/17/2019	[5569] BROOKE D E KERRIGAN	MEALS PER DIEM TO ATTEND SCORE BOD MEETING	83.00
7967	4/17/2019	[3478] MATTHEWS PAINTS	SERVICE PRESSURE WASHER- NOZZLE, CONTRACTOR & CAPACITORS	478.14
7968	4/17/2019	[2603] PG&E	UTILITY EXPENSES FOR MARCH 2019	15,075.68
7969	4/17/2019	[3343] PITNEY BOWES RESERVE ACCOUNT	POSTAGE PURCHASE FOR RESERVE	400.00
7970	4/17/2019	[4338] QUILL CORPORATION	PETTY CASH RECEIPT BOOK; COLUMNAR PAD; EPSON RECEIPT RIBBONS; USB FLASH DRIVES EXPANDABLE LEGAL FILE JACKETS	118.74
7971	4/17/2019	[6686] CLINTON C SAUERS	CLOTHING ALLOWANCE REIMBURSEMENT	200.77
7972	4/17/2019	[4570] SHRED AWARE	SHREDDING	115.00
7973	4/17/2019	[6672] WEX BANK	PD FUEL EXPENSES FOR MARCH 2019, PW FUEL EXPENSES FOR MARCH 2019, PD FUEL EXPENSES FOR APRIL 2019, PW FUEL EXPENSES FOR APRIL 2019	1,883.00
7974	4/24/2019	[4937] CALIFORNIA DEPARTMENT OF TRANSPORTATION	SIGNALS & LIGHTING BILLING JANUARY 2019 THROUGH MARCH 2019	212.80
7975	4/24/2019	[2291] CITY OF EUREKA	CHASING PHONES CLASS 5/2/2019	100.00
7976	4/24/2019	[2301] MARK A. CLEMENTI, PH.D.	PRE-EMPLOYMENT PSYCHOLOGICAL EVALUATION	685.00
7977	4/24/2019	[2303] COAST CENTRAL CREDIT UNION	POA DUES FOR PPE 4/12/19	120.00
7978	4/24/2019	[2283] COASTAL BUSINESS SYSTEMS	DOCSTAR ANNUAL SOFTWARE LICENSE AGREEMENT 1/1/19 - 9/30/19	134.67
7979	4/24/2019	[2317] COUNTY OF HUMBOLDT ELECTIONS DEPARTMENT	NOV 6, 2018 GENERAL ELECTION COSTS & CANDIDATE STATEMENTS	1,228.97
7980	4/24/2019	[2411] DEARBORN NATIONAL LIFE INSURANCE COMPANY	LIFE INSURANCE FOR MAY 2019	345.00
7981	4/24/2019	[2405] FORTUNA ACE HARDWARE	SIX EA 20 OZ WASP & HORNET KILLER	29.80
7982	4/24/2019	[5052] GHD, INC	DRINKING WATER INFRASTRUCTURE IMPROVEMENT FUNDING, PLANNING & DESIGN PROJECT PVC 3/4" COMP COUPLER, PLUMB PAK PP840-19 BASIN WRENCH, SPRING LOADED JAW 15", RETURN PVC 3/4" COMP COUPLER	2,189.50
7983	4/24/2019	[6486] GREEN TO GOLD ENTERPRISES LLC	RETURN PVC 3/4" COMP COUPLER	14.60
7984	4/24/2019	[2750] HD Supply Facility Maintenance DBA: USA BLUEBOOK	FIRE HOSE - 1-1/2" NST X 50' DOUBLE JACKET Mxf ALUM	381.10
7985	4/24/2019	[6514] INTERWEST CONSULTING GROUP	RETURN & RESTOCKING FEE FOR FIRE HOSE - 1-1/2" NST X 50' DOUBLE JACKET Mxf ALUM	1,486.10
7986	4/24/2019	[2522] LECAH	PROFESSIONAL SERVICES FOR MAR 1 THROUGH MAR 31, 2019	100.00
7987	4/24/2019	[5934] NORTH COAST JOURNAL	2019 ANNUAL DUES	100.00
7988	4/24/2019	[2569] NORTH COAST LABORATORIES, INC.	LEGAL ADVERTISING - REQUEST FOR PROPOSALS RETAIL SALES OF CANNABIS & CANNABIS GOODS HALOACETIC ACIDS, HALOACETIC ACIDS; THM by EPA 624, ACID DIGESTION; AMMONIA NITROGEN-UN-IONIZED; AMMONIA SUBCONTRACT; CONDUCTIVITY; HARDNESS; ICAP METALS; NITRATE AND/OR NITRATE; SUBCONTRACTED ANALYSIS; THM by EPA 624; TOTAL DISSOLVED SOLIDS; TOTAL KIELDAHL NITROGEN; TURBIDITY	290.00
7989	4/24/2019	[5053] PACIFIC ECORISK	CHRONIC TOXICITY TESTING	1,468.40
7990	4/24/2019	[4338] QUILL CORPORATION	VOICE-MAIL LOG BOOKS; EIGHT LANYARDS, DELL & SAMSUNG TONER CARTRIDGES	234.90
7991	4/24/2019	[6373] THATCHER COMPANY, INC.	330 G TOTE SANI CHLOR 12.5, CONTAINER DEPOSIT REFUND, 3303 # TOTE SODIUM BISULFITE 25% MONTHLY SERVICE FOR SAFETY PHONE 4/8/19 - 5/7/19	2,487.60
7992	4/24/2019	[2754] US CELLULAR	MONTHLY SERVICE FOR SAFETY PHONE 4/8/19 - 5/7/19	59.30
7993	4/24/2019	[2757] US POSTMASTER	ANNUAL FIRST-CLASS PRESORT MAILING PERMIT	235.00

City of Rio Dell

Check Listing for City Council Meeting

Ref#	Date	Vendor	Description	Amount
7994	4/24/2019	[2481] VANTAGEPOINT TRANSFER AGENTS-304361	RETIREMENT FOR PPE 4/12/19	6,552.41
7995	4/24/2019	[5166] VSP-VISION SERVICE PLAN	VISION INSURANCE FOR MAY 2019	395.31
7996	4/24/2019	[2787] WYCKOFF'S	TWO EA 3/4 GALV COMPRESSION COUPLINGS; 21' 3/4 GALV PIPE; 20' 3/4" PVC PIPE	60.31
7997	4/30/2019	[2757] US POSTMASTER	POSTAGE FOR UTILITY BILLING FOR THE MONTH OF APRIL 2019	338.41
Total Checks/Deposits				187,057.81

Ref#	Date	Vendor	Description	Amount
1111898	4/08/2019	ELECTRONIC FUNDS TRANSFER	EFT FOR EFTPS PAYROLL TAXES FOR PPE 03/29/2019	-12,627.11
246-784	4/08/2019	ELECTRONIC FUNDS TRANSFER	EFT FOR EDD PAYROLL TAXES FOR PPE 03/29/2019	-2,421.61
995331	4/12/2019	WITHDRAWALS	CONVENIENT CHARGEBACK	-353.21
195886	4/17/2019	ELECTRONIC FUNDS TRANSFER	EFT FOR AFLAC INSURANCE FOR APRIL 2019	-532.41
9424189	4/18/2019	WITHDRAWALS	BANK ANALYSIS FEE FOR APRIL 2019.	-77.21
48147	4/22/2019	ELECTRONIC FUNDS TRANSFER	EFT FOR EFTPS PAYROLL TAXES FOR PPE 04/12/2019	-12,141.61
905-728	4/22/2019	ELECTRONIC FUNDS TRANSFER	EFT FOR EDD PAYROLL TAXES FOR PPE 04/12/2019	-2,136.41
Total EFT's/Bank Withdrawals				-30,289.81

Ref#	Date	Vendor	Description	Amount
TRX TO PR	4/2/2019	TRANSFER FROM CHECK TO PAYROLL ACCOUNT	TRANSFER TO PAYROLL ACCOUNT FOR PPE 04/05/2019	-33,370.11
TRX TO PR	4/16/2019	TRANSFER FROM CHECK TO PAYROLL ACCOUNT	TRANSFER TO PAYROLL ACCOUNT FOR PPE 04/19/2019	-32,529.71
TRX TO PR	4/30/2019	TRANSFER FROM CHECK TO PAYROLL ACCOUNT	TRANSFER TO PAYROLL ACCOUNT FOR PPE 05/03/2019	-32,310.41
Total Transfer Between Accounts				-98,210.31



Staff Update – 2019-06-04

City Council

City Manager

Street sweeping was conducted on May 10th.

Met with representatives from Recology to go over rates for the next fiscal year. They will be here on June 18th to present.

Met with County Planning and Building to go over wind energy project. Also met with Board of Equalization staff to discuss tax revenues from the potential project.

Discussions with RCEA over electric vehicle fleet options and updates to the charging station in downtown.

Rio Dell's annual cleanup occurred on May 11, 2019. In total, 20.62 tons of trash, metal and green waste were collected. Tonnage was down approximately ten percent from last year.

Participated in the RFP review for cannabis retail.

Worked with Nathan Sanger, the new project lead with GHD for the ATP project. David Caisse now works for the City of Eureka.

Received an update on the Cannabis Equity Program at the state level.

City Clerk

City Clerk

Processed seven (7) Building Permits.

- 1) 1121 Miller Ct. – Bathroom Remodel
- 2) 415 First Ave. – 100 Amp Electrical Service Upgrade
- 3) 60 North St. – Sewer Cleanout
- 4) 313 Orchard St. – Sewer Cleanout and Lateral
- 5) 715 Wildwood Ave. – Exterior ADA Improvements
- 6) 935 Webb Lane – Sewer Cleanout
- 7) 166 Spring St. – Re-Roof Residence

Processed four (4) Business License Applications:



- 1) Kern Construction - Non-Resident Contractor
- 2) Mercer Fraser Co. – Non-Resident Contractor
- 3) Redwood Coast Vacation Rentals - 174 Grayland Heights
- 4) Tony Perez - 1221 Riverside Dr. – Vacation Rental

Corresponded with Code Publishing on final questions regarding update of the City's Municipal Code.

Corresponded with fellow City Clerk's regarding various policies and procedures.

Responded to inquiries regarding building permit, encroachment permit and business license requirements.

City Attorney

Human Resources, Risk & Training

Finance Department

Public Works Water

Public Works Wastewater

Public Works Streets, Buildings and Grounds

Public Works City Engineer

Public Works Capital Projects

Police Department

The Department had the following statistics for the period of May 1 to May 28, 2019. This period of time saw an above average number of calls for service, an average number of reports and an above average number of arrests.

Officer	Calls for Service	Reports	Arrests
Conner	23	4	1
Beauchaine	11	8	4
Carnahan	Light Duty	Light Duty	Light Duty
Landry	59	15	7
Mitchell	47	12	3
Valk	5	3	2
Fielder	39	3	2
Totals	188 (3 unassigned)	45	19
Averages	6.7 per day	11.3 per week	4.8 per week
2018 Yearly Average	5.1 per day	10.6 per week	3.6 per week



During the period of May 1 to May 28, 2019, the Department opened five new junk vehicle cases. During the same time period, the department closed five cases. Three of the vehicles were removed through voluntary compliance and the other two were towed by the City. There continues to be four open junk or inoperable vehicle cases.

During the period of May 1, to May 28, 2019, there were six calls for service related to animal control issues. Two dogs and one cat were transported to Miranda's Rescue. One of the dogs had bitten a toddler in the face and was being held for quarantine since it had not been vaccinated against rabies. In addition, Officer Landry responded to a report of a dog running loose on the freeway. She was not able to get there before the dog was hit by a car. The dog's owner, however, was able to retrieve his dog and take it to the emergency veterinarian.

Officers Carnahan and Valk completed the Institute of Criminal Investigations core course in Blue Lake. The course is the first of a series that teaches officers how to handle complex investigations. Chief Conner attended a class on how to access evidence located on cell phones. Sergeant Beauchaine attended perishable skills training at College of the Redwoods. This three-day course includes refreshers on driving, defensive tactics, use of force, first aid, domestic violence and dealing with the mentally ill. All officers are required by the California Peace Officers Standards and Training Commission (POST) to attend this training in each two-year training cycle.

The Department sent out a Notice to Correct Violation(s) to the owners of five properties in Rio Dell. Three of these properties were being used as short-term rentals without the proper permits. Another was found to be operating a kennel without a permit while the last had large concentrations of trash in the yard. Two of the owners of the short-term rentals have since submitted the proper applications. The Department also did follow-up on the thirteen Notices to Correct that were mailed out last month. Of those, two have made significant efforts to abate the violations on their properties. Three other owners have contacted the Department, but have not made significant improvements. The remainder of the owners seem to have ignored the warning letter.

On May 5, 2019, Officer Landry responded to a report of a suicidal subject. When she arrived, she found that the man had shot himself in the head with a small caliber rifle. The man was still alive and was struggling with this father in an attempt to regain control of the rifle. Officer Landry, capably assisted by Officer Jordan Walstrom of the Fortuna Police Department and members of the Rio Dell Volunteer Fire Department, was able to get the man handcuffed and loaded onto a gurney. The victim continued to struggle all the way to the ambulance. He was transported to Redwood Memorial and then to a hospital out of the area. He is reported to be recovering, but it is still unknown how much permanent damage was caused by the gunshot.

On May 14, 2019, Officers Valk and Landry responded to a complaint of a man making threats on Rigby Avenue. While the two officers were enroute, Dispatch notified them that the man was threatening to kill any police officers who responded. When Officer Valk got out of her car, the man moved towards her while wielding a sword in one hand and a large knife in the other. Officer Valk held the man at taser point, while Officer Landry provided lethal cover. When the man swung the sword at Officer Valk, she deployed her taser. The probes hit the man in the lower abdomen and the upper chest, providing an effective spread. He dropped his weapons after the first electrical charge, but refused to otherwise cooperate. Officer Valk energized the weapon a second time and the man became compliant. Initially,



he was amicable and was handcuffed and searched without incident. But he became surly as he was being loaded into the ambulance for transport to the hospital for a medical clearance. During this time, he struck one of the ambulance staff with his fist. Officer Valk and Chief Conner followed the ambulance to the hospital, where the man remained hostile until the sedatives that he was given had an effect. He was then transported to the jail without further incident. This is the second time that this man has attempted to commit suicide by trying to have the police shoot him.

On May 15, 2019, Officers Valk and Landry responded to a house where a young woman, under the age of eighteen, had forced her way into her ex-boyfriend's house to confront him and his new girlfriend, both of whom were also under the age of eighteen. A struggle ensued when the young man realized that the ex-girlfriend was armed with a knife. Officer Valk was the first officer to arrive and found the two struggling teenagers on the floor. She was able to take the suspect into custody without serious issue. The young man had a superficial scratch on his abdomen. The suspect was transported to Juvenile Hall where she was booked for burglary, felony domestic violence and assault with a deadly weapon.

On May 21, 2019, Sergeant Beauchaine received information that a man wanted for domestic violence had returned to his girlfriend's house. Sergeant Beauchaine and Officer Valk responded. The girlfriend opened the door and allowed the officers to enter. The suspect, dressed only in his underwear, fled with Sergeant Beauchaine in pursuit. The suspect got into a physical struggle with Sergeant Beauchaine that ended when Sergeant Beauchaine was knocked to the ground. The suspect then tried to continue his flight, but was stopped by Officer Valk, who had put the laser sight of her taser on the man's chest. The suspect tried to retrace his steps, but ran into Sergeant Beauchaine, who was now also armed with a taser. The man agreed to stop resisting after being "touch-stunned" in the chest by Sergeant Beauchaine. He was handcuffed and placed into a patrol car. Sergeant Beauchaine returned to the house and obtained some clothes for the man to wear. He was booked into the jail without further incident on the original domestic violence charges as well as for felony resisting arrest.

On May 22, 2019, Officer Mitchell was on patrol when he observed two people exit a car parked in the driveway of a house inhabited by a person with a felony arrest warrant. Officer Mitchell asked one of the occupants of the car if this man was home and was told that he was. Chief Conner arrived shortly thereafter and secured the front of the house. When Sergeant Beauchaine arrived, he and Officer Mitchell started to make entry into the house through the rear door. They were greeted by the couple from the car who had decided that while the police were outside demanding entry was a good time to take a shower. Sergeant Beauchaine and Chief Conner searched the house without finding the suspect. However, there were wet footprints in the hall that stopped under the access to the attic. A ladder was leaning against a wall nearby. Sergeant Beauchaine attempted to gain entry into the attic, but it was found that the suspect was standing on the access hatch. When Sergeant Beauchaine tried to use a crowbar to gain access, the plywood cover broke loose and struck Sergeant Beauchaine in the head. Even though the suspect was now trapped in the attic without any reasonable chance to escape, he continued to refuse to cooperate. He fell at one point, which caused a large hole in the ceiling. Sergeant Beauchaine attempted to gain compliance by deploying his taser through this hole, but it was not effective. The suspect then broke another hole in the ceiling above the living room, presumably as a means of escape. However, this was quickly observed and that avenue of retreat was also blocked. Eventually Officer Mitchell entered the attic and attempted to get him to comply. The suspect lowered one of his legs through the hole in the living room ceiling, where Chief Conner grabbed hold of it. When it became apparent that Chief Conner was not going to let go, the man eventually complied with Officer



Mitchell's demands and lowered himself through the hole. He was taken into custody and transported to the jail where he was booked for felony resisting arrest.

Community Development Department

Inspection 56 N. Pacific Final.

Inspection 440 Second Avenue Siding Replacement.

Continue Work on Housing Element CEQA Initial Study.

Continue review of Humboldt Wind Power DEIR.

Inspection of rough plumbing and foundations/forms for 8 units at the DANCO project.

Meeting with Rio Dell Remedies.

Meeting with Rio Dell Organics regarding locating at the HRDBP.

Inspection - Electrical Panel 353 First Avenue.

Inspection - Bathroom fire damage repair 1121 Miller Court.

Work on and complete letter to County regarding Humboldt Wind Power DEIR.

Intergovernmental


675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532




For Meeting of: June 4, 2019

☐ Consent Item; ☒ Public Hearing Item

To: City Council

From: Kevin Caldwell, Community Development Director 

Through: Kyle Knopp, City Manager 

Date: May 29, 2019

Subject: Humboldt Wind Energy Project

Recommendation:

That the City Council:

1. Review the Draft Letter to the County identifying the City's concerns and make changes as necessary; and.
2. Open the public hearing, receive public input and deliberate; and
3. Authorize the Mayor to sign the Letter and Direct staff to submit the Letter to the County.

Background and Discussion

Staff from the Humboldt County Planning Department attended the Council meeting of May 7th and provided an overview of the proposed Humboldt Wind Energy Project and the associated Draft Environmental Impact Report (DEIR). Members of the Council and local residents had a number of questions and concerns regarding the project. Of course the primary concerns were

related to visual impacts and the fact that the energy generated would be transmitted to the Central Valley.

The Council discussed the project again at your meeting of May 14th. At that meeting the Council voted to oppose the project as proposed and directed staff to prepare letter identifying residents and the Council's concerns. The letter is included as Attachment 1.

Attachment 1: Letter, comments regarding the Humboldt Wind Project and the Draft Environmental Impact Report (DEIR).

675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532



June 4, 2019

Elizabeth Burks
County of Humboldt
Planning and Building Department
3015 "H" Street
Eureka, CA. 95501

Subject: Humboldt Wind Energy Project
Draft Environmental Impact Report; SCH 2018072076

Dear Ms. Burks:

The City of Rio Dell is writing in response to the Draft Environmental Impact Report (DEIR) for the proposed Humboldt Wind Energy Project to be located immediately south and southwest of the City and the Town of Scotia on Monument and Bear River Ridges. The City supports alternative energy, including wind energy. However, the proposed location will have significant visual impacts to the community of Rio Dell. Many residents choose to live in Rio Dell due to its outstanding visual surroundings. The project if approved and built will have a dramatic adverse change to the City's surroundings. The City believes the project will impact current and potentially future residents desire to live in Rio Dell, materially affecting property values in the City.

In addition to the visual impacts, we have a number of other concerns associated with the proposed project, including timberland conversion, biological impacts, increased fire danger, significant amounts of grading, erosion, geologic stability and sediment discharges into the Eel River. The City's primary water source (an infiltration gallery) is just a couple miles downstream from the project site.

Because of these impacts, we believe the proposed project will be materially injurious to the City and its residents, in that the City believes it will impact potential residents and as a result fewer businesses decision to relocate to the City. As such, the project will impact property values in the City and the surrounding areas.

In addition to the number of significant environmental impacts, given the magnitude of the project, the City is concerned that the project is being "fast-tracked" for the benefit of the developer and the detriment of the community. Another concern is the fact that the DEIR did not include the Mitigation Monitoring or Reporting Program (MMRP) required by Section 15097 of the CEQA Guidelines. Without this important component of the Environmental Document, it is very difficult if not impossible for the City to determine how effective the proposed Mitigation Measures will be.

For these reasons and the information contained herein the City of Rio Dell officially **opposes** the proposed Humboldt Wind Energy project and recommends the "No Project" alternative in the DEIR.

Project Objectives

The applicant has identified seven (7) objectives of the project. All of the objectives can be obtained at other locations throughout the State. There is one objective that specifically references Humboldt County. That one objective is the result of the project in any jurisdiction. Below is a copy of the only stated objective that references Humboldt County.

Develop a wind energy facility in Humboldt County that supports the economy by creating short- and long-term employment opportunities and increasing tax revenue.

The City believes Terra Gen did not come to Humboldt County in the name of creating jobs and increasing revenue for the citizens of Humboldt County. Terra Gen came to Humboldt with one thing in mind, and that's to make money. The City supports creating local jobs and increasing tax revenue, but at what expense? Again, the City believes this objective is a result of the project, regardless of the location.

In this particular case the City believes there are other sites throughout the State and within the County that could accommodate the stated objectives. The City believes it's possible that other locations that were not included in the Alternative Analysis may result in fewer unavoidable significant environmental impacts.

According to wind maps produced by the National Research Energy Laboratory (NREL) there are dozens of areas up and down the State that exhibit similar and many actually better wind characteristics that are near transmission facilities, are readily accessible and could have fewer significant environmental impacts.

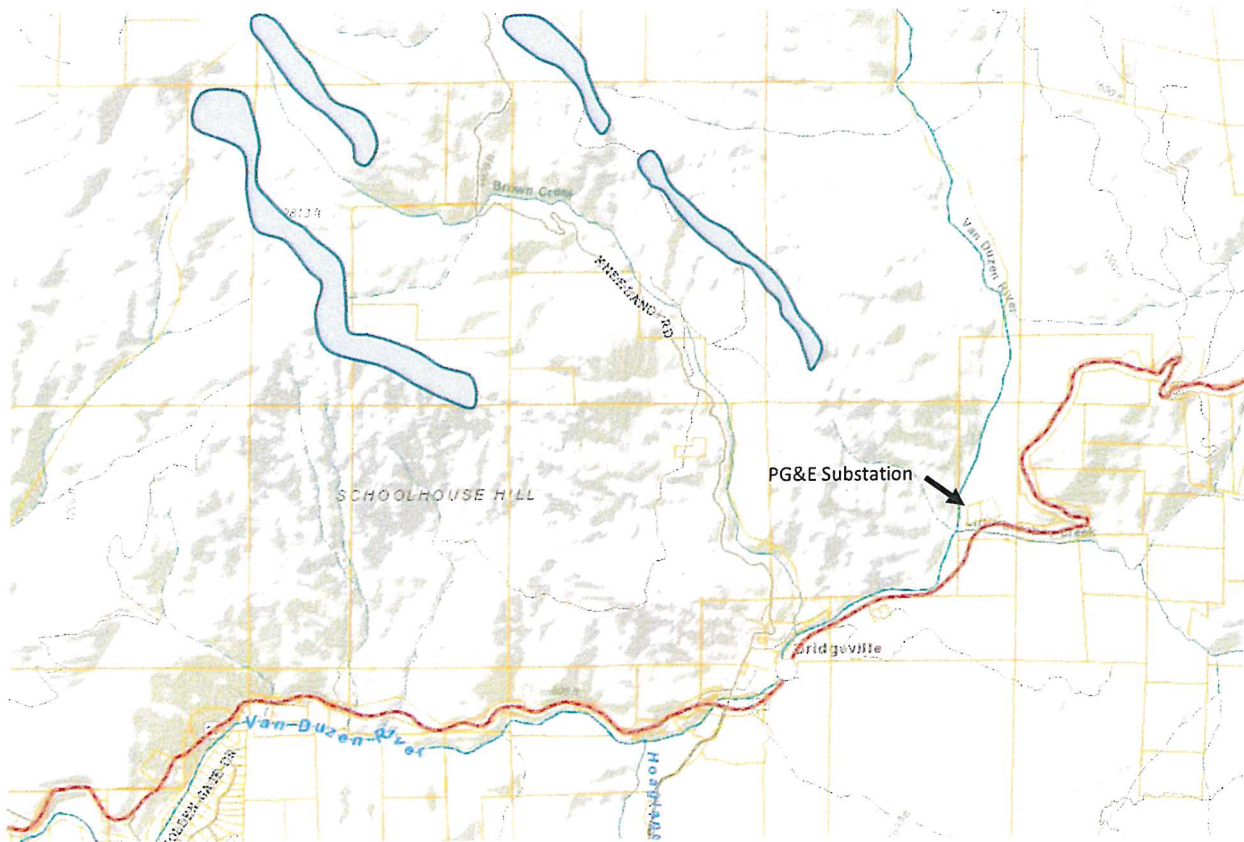
Locally, the off-shore winds apparently have significant potential to generate power. Again, according to NREL maps, the area off of Cape Mendocino may have the best wind power potential on the west coast. In fact, the Redwood Coast Energy Authority (RCEA) along with Principle Power Inc., EDPR Offshore North America LLC and Aker Solutions Inc. recently submitted a lease application to the Bureau of Ocean Energy Management (BOEM) for a 100 – 150 megawatt off-shore wind energy farm.

According to RCEA's September 12, 2018 Press Release *"The project is expected to bring significant economic benefits to the region in the form of jobs and increased spending in the local community and State of California. A longer-term goal of the project is for Humboldt Bay to become a central hub of a US west coast offshore wind industry."*

Given this project has been under review since 2017 and according to RCEA the project could be online in 2024, it's disconcerting that the project was not identified as an Alternative in the DEIR. The City believes it was intentionally not included as an Alternative because (1) Terra Gen is not part of the off-shore RCEA consortium; and (2) it is likely an environmentally superior Alternative. At a minimum it needs to be included as a potential Alternative in the EIR.

Again, referring to the NREL Maps, Schoolhouse Hill just west of PG&E's Bridgeville Substation exhibits very similar wind characteristics as does the Monument and Bear River ridges. This location would certainly not be as visible from local communities and the millions of tourists that travel Highway 101. The site would not require 25+/- miles of overhead transmission lines (reducing potential fire danger), would not require almost 100 acres of timberland conversion and could have other fewer significant

impacts if the site(s) were evaluated in the Alternative Analysis. Terra Gen will likely argue that they do not have control over the site and therefore does not have to include it in the Alternative Analysis. At a minimum the County should either contact the property owner(s) or require Terra Gen to make a good faith effort to reach out to the property owner(s).



The City has the following specific comments and concerns regarding the project and the Draft Environmental Impact Report (DEIR).

3.2 Aesthetics: As indicated above, the primary concern of the City Council and the City's residents are the visual impacts of the project. Humboldt County is one of the most beautiful landscapes in the State if not the entire Country. Millions of travelers from all over the world come to Humboldt County each year to enjoy its scenic qualities, redwoods, rivers and beaches. The forested ridge tops, open meadows and the Scotia-Rio Dell bluffs surrounding Rio Dell create a visually stunning landscape.

The installation of up to sixty 650' tall (Figure 2-3 DEIR) wind turbine generators with each having two medium-intensity flashing white lights during the day and twilight and two flashing red beacons at night will significantly degrade the visual quality of the area. The City understands that the proposed windmills may be the tallest land based windmills in the world. In addition, the installation of six meteorological towers with the required FAA lighting up to 400' will also impact the visual quality of the Rio Dell and the entire Eel River valley.

The photo simulations in the DEIR appear to be taken on a hazy day, minimizing the visual impacts. In fact, the DEIR refers to the areas "atmospheric conditions" (fog, haze and clouds) numerous times in

what appears to be an attempt to minimize the visual impacts. On clear days, these “iron giants” will likely be visible from 20+/- miles away. The City is also concerned about “shadows” generated by the windmills. There was no discussion regarding resulting “shadows”. The “shadows” should be discussed and analyzed.

One of the Aesthetic Mitigation Measures requires that “The WGTs shall be clustered or grouped to break up overly long lines of WGTs.” Based on Figure 2-1 of the DEIR, it appears that the placement of the WGTs does in fact create overly long lines.

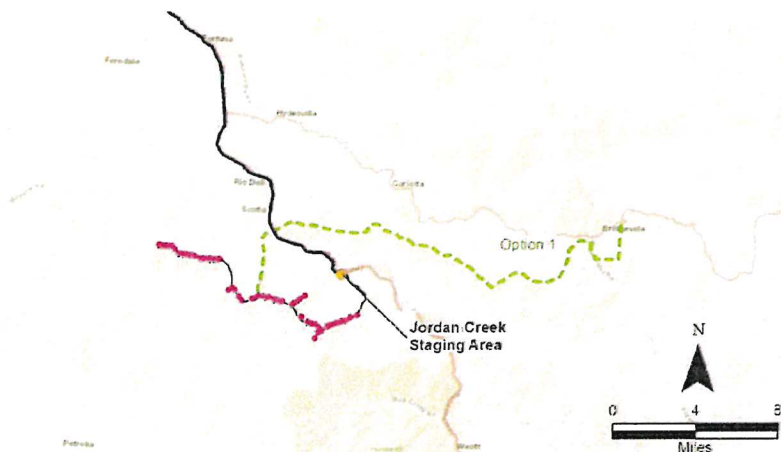


Figure 2-1 DEIR

The DEIR (3.2-2) also seems to minimize the visual impacts on scenic resources along a State Scenic Highway. Although Highway 101 in the area is not officially designated as a State Scenic Highway, it cannot be argued that the project will have a significant visual impact to the scenic resources visible from the Highway. The City recommends that the County Board of Supervisors officially request Caltrans to designate those eligible portions of State Highways throughout the County as State Scenic Highways.

In addition to the City’s outstanding weather, the surrounding river, mountains, prairies and bluffs provide an incredible visual backdrop to the City. Some say the setting is almost surreal. These features make Rio Dell a desirable place to live and work. The visual impacts of up to sixty, 650 foot tall (Figure 2-3 of the DEIR) towers with the required Federal Aviation Administration’s (FAA) flashing strobe lights will be materially injurious to the City.

Pursuant to Section 312-17 *et. seq.* of the Humboldt County Zoning Regulations in order to approve the project, the Planning Commission must find:

*The proposed development and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or **materially injurious to properties or improvements in the vicinity** (emphasis added).*

Obviously, the City believes this finding cannot be made. It’s very clear to this City Council that there is no doubt that the proposed project will have a direct and substantial impact on the material wellbeing of the City of Rio Dell.

3.3 Agriculture and Forestry Resources: The DEIR indicates that 91 acres of timberland will be converted. Although not specifically identified, the City assumes the conversion of the 91 acres is a result of the significant road widening and overhead transmission facilities associated with the project. Although the 91 acres is insignificant in terms of timberland in Humboldt County, residents have expressed concerns regarding the conversion of timberland to accommodate road widening and the overhead transmission lines.

3.5 Biological Resources: Residents have expressed concerns regarding the impact of the project on Marbled Murrelets, Northern Spotted Owls, Bald and Golden Eagles and other raptors including Falcon's, Hawks, Osprey, Kite's and Turkey Vultures. In addition, Condors are to be reintroduced in the Bald Hills area of the Redwood National Park in the near future. The applicant has indicated that within six months of releasing the Condors that they will implement detection technology tied to the Condor's transponders to shut down the windmills when Condors are in the area. This begs the question "What if the Condors establish residency in the area of the project, then what?"

The project site is in an area of nesting, foraging and stopover habitat for an incredible number of avian species. The DEIR concludes that bird deaths will occur, however it's difficult to quantify the number of deaths associated with the life of the project. A Mitigation Measure (3.5-2b) requires Post Construction Mortality Monitoring (PCMM). Another Mitigation Measure (3.5-5a) requires the applicant to maintain the landscape around the WGTs so as to discourage rodent prey populations (rabbits, squirrels and other prey). Without the required (Section 15097 CEQA Guidelines) Mitigation Monitoring and Reporting Program (MMRP), the City has no idea how the mitigation will be implemented, the details of the mitigation or how it will be monitored. The City believes this is contrary to the CEQA process by omitting potentially important input of the public and interested agencies regarding the effectiveness of the proposed mitigation measures.

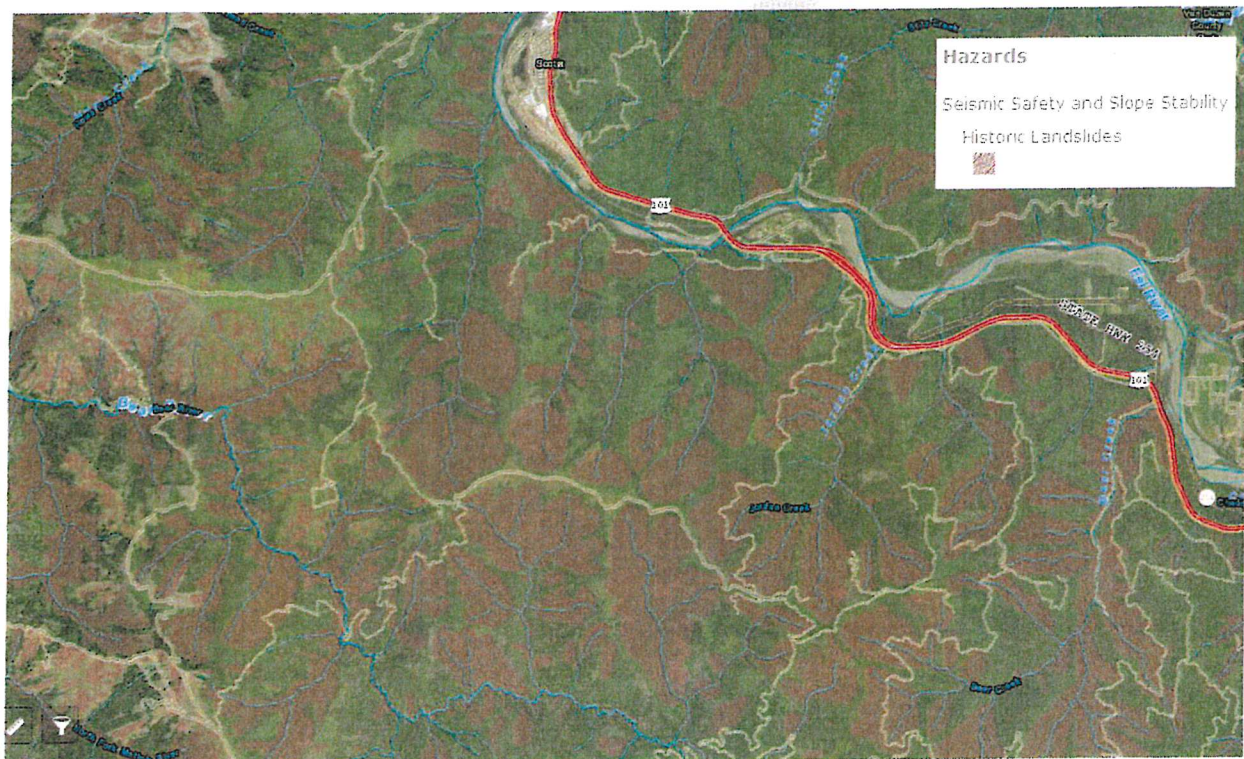
Mitigation Measure 3.5-7 requires the applicant to develop a map depicting the locations of foraging, nesting and roosting habitat for northern spotted owls. The information is to be used to minimize habitat impacts during the project's final design. The City believes this information should not be deferred. In fact, the Courts basically ruled that studies cannot be deferred in the landmark court case *Sundstrom vs. County of Mendocino* (1988 202 Cal. App. 3d 296). Below is a brief summary of the case:

As to the condition of a future study, the appellate court held this was inappropriate: "By deferring environmental assessment to a future date, the conditions run counter to that policy of CEQA which requires environmental review at the earliest feasible stage in the planning process." (Sundstrom, supra, 202 Cal. App. 3d at p. 307.) In addition, the condition "improperly delegated the County's legal responsibility to assess environmental impact by directing the applicant himself to conduct the hydrological studies subject to the approval of the planning commission staff." (Ibid.) This condition circumvented the provisions of CEQA governing the process of environmental review, by omitting the important input of the public and interested agencies. (Id. at pp. 307-308.)

The City believes there must be other areas suitable for wind power that would not impact the significant number of avian species located in the project area. At a minimum any referenced deferred studies, technical reports and the Mitigation Monitoring and Reporting Program (MMRP) should be

included in the DEIR so the public and agencies can review the information. It appears there are number of deferred studies and or surveys, including botanical surveys, reclamation, vegetation and weed control plans, maps depicting the locations of foraging, nesting and roosting habitat for northern spotted owls.

3.7 Geology and Soils: The City and the residents are concerned regarding the significant amount of grading that is required to improve the access roads to accommodate the various components of the WGTs. The project area is in one of the most seismically active areas in the world. According to the County's GIS mapping program, the area is inundated with historic landslides and is in areas of moderate to high instability.



Source: Humboldt County GIS

The City is surprised that a Geotechnical Report and subsequent Grading Plan was not included in the DEIR given the significant (un-quantified) amount of required grading that apparently has yet to be quantified. The DEIR recognizes there are unstable slopes within the study corridors and notes that the "...greatest risk of landslides is in areas where the slopes would exceed 33 percent. A review of the study corridor indicates that the topography is rugged with the majority of the land sloping at 30 percent or more."

The Humboldt County General Plan, Standard S-S1 requires site specific geologic reports for discretionary and ministerial projects. In addition, Section 336-5, the Geologic Hazards Land Use Matrix of the Humboldt County Code requires the preparation and submittal of an R-1 Report Geologic and Soils Report for the project. Furthermore Section 331-14(e) of the Humboldt County Code requires an

Engineered Grading Plan, including a Soils Engineering Report and Engineering Geology Report when grading activities exceed 5,000 cubic yards.

Without the required Geologic Report and Grading Plan it's all but impossible for the community to know the extent of the grading and the geologic risks associated with the grading. Again, referring to *Sundstrom vs County of Mendocino*, the City believes the deferral of the required Reports circumvents the provisions of CEQA governing the process of environmental review, by omitting the important input of the public and interested agencies. Without these technical studies and plans, the City questions how the DEIR can determine that "Possible risks to People and Structures Caused by Strong Seismic Ground Shaking, Seismic-Related Ground Failure, Liquefaction and Landslides and Geologic Hazards Related to Expansive Soils" are less than significant.

Based on the seismic activity, the soils, slopes and historic landslides in the project area, the City believes the Geologic Reports and Engineered Grading Plans be included in the DEIR and recirculated. In addition, the City request that all grading activities be limited to after June 1st and before October 15th.

3.9 Hazards and Hazardous Materials: Residents expressed concerns regarding air traffic in the area of the project. It was reported by County staff at the meeting of May 7, 2019 that the WGTs and the six 400+/- foot tall meteorological towers would be marked as required by the Federal Aviation Administration (FAA). The City understands that the FAA requires structures taller than 200 feet be marked with flashing strobe lights. In addition, one resident expressed concerns for possible conflicts with military over-flights.

3.10 Hydrology and Water Quality: As previously mentioned, the City's primary water source is an infiltration gallery in the river just a couple of miles downstream of the project site. The City and our residents are concerned about potential erosion and sediment discharges to the river. In addition, residents have expressed concerns regarding potential erosion and sediment discharges to the river and its impact to the fishery and its associated aquatic life. Again, should the project be approved, the City requests that all grading activities not occur during the rainy season (October 15th through June 1st).

3.12 Transportation and Traffic: The City has concerns regarding potential impacts to City streets, including Wildwood Avenue, Pacific Avenue and Monument Road. Although the DEIR states that only pickup trucks without trailers will be accessing Monument Road through the City, without the Mitigation Monitoring and Reporting Program (MMRP), the City is not sure how this Mitigation Measure (MM 3.12-1) will be enforced. The City previously expressed concerns to the applicant regarding impacts to City streets. The applicant agreed that heavy trucks/equipment would not access the project area through the City. However, a 100 ton crane later used Wildwood Avenue, Pacific Avenue and Monument Road to access the project area.

The City requests that the applicant provide a copy of the Haul Route Map(s) to the City. In addition, the City requests that signage be placed along Wildwood Avenue, near the Highway 101 off-ramp stating that access to the project area through the City is limited to conventional vehicles, including light duty pickup trucks.

3.13 Fire Protection Services and Wildfire Hazards: Residents have expressed concerns regarding an increased risk of wildfire associated with the project. The project proposes 32+/- miles of new overhead transmission lines. The area is identified by Cal Fire as a “High” fire severity zone.

Transmission lines have been the source of a number of devastating fires, including the deadly Camp Fire near Paradise. According to an article in the November 16, 2018 edition of the Sacramento Bee, Cal Fire investigators believe at least 17 major wildfires in Northern California were caused by problems with power lines in 2017. In the same article according to PG&E there were 1,051 reported fire incidents from 2014 through 2016.

The DEIR states that the construction and operations of the project would include activities that may create sparks or flames which would exacerbate the risk of wildfire resulting in a potentially significant impact. However, with the incorporation of Mitigation Measure 3.13-2a, the impact will be less than significant. Mitigation Measure 3.13-2a requires the preparation and implementation of a Fire Safety and Management Plan. Once again, another deferral of a study or plan. Even with a Fire Safety and Management Plan, the City believes the potential risk for a wildfire associated with the project is a “Significant” impact.

According to researchers from Imperial College London, the University of Edinburgh and SP Technical Research Institute of Sweden fire is the second leading cause of accidents in wind turbines, after blade failure.

The City believes that the DEIR should have analyzed utilizing PG&E’s substation in Rio Dell. When Shell Energy was proposing a similar project some years ago, they were going to utilize and upgrade the Rio Dell substation. Utilizing the Rio Dell substation would eliminate the need of more than 20 miles of new overhead transmission facilities, thus reducing the risk of wildfire associated with transmission lines. This alternative should be explored.

Alternatives

The DEIR considered five Alternatives, including the “No Project” alternative. As stated in the “No Project” alternative discussion, if the proposed project is not approved, it is reasonably foreseeable that renewable power needed to meet state renewable energy standards would be obtained from a project proposed at other suitable sites. The City concurs that wind power projects will be developed throughout the State in order to meet the State’s 2045 renewable energy goals. Based on the concerns and information presented herein, the City of Rio Dell recommends the “No Project” alternative.

Alternative 2 includes the realignment of the transmission lines around the Town of Stafford to avoid placing transmission lines under the Eel River. Alternative 2 also includes an alternate access road alignment at the Jordan Creek staging area (the “realigned Jordan Creek access”) to avoid impacts on a northern spotted owl flyway near Jordan Creek.

Alternative 3 would reduce the total number of WTGs from 60 to 23 and would avoid placing WTGs on Monument Ridge. This alternative would likely minimize visual impacts to the City, but the visual impacts of the project would still be regionally significant.

Alternative 4 would place 31 WTGs within the same study corridor as the project. Access to the WTG site would be provided from the planned road at Jordan Creek staging area and the gen-tie would extend to the Bridgeville Substation under the same alignment as the proposed project. Because the turbine count would be reduced, the WTGs selected for installation would be the largest (600-foot maximum height). Alternative 5 would reduce the total number of WTGs from 60 to 37 and would avoid placing WTGs on Bear River Ridge. Because the turbine count would be reduced, the WTGs selected would likely be the largest (600-foot maximum height). Fewer WTGs would provide greater spacing from sensitive areas identified in the project corridor. This alternative would avoid impacts on Bear River Ridge, which is considered a tribal cultural resource, and would reduce indirect effects on the Scotia historic district.

CEQA requires that an Environmentally Superior Alternative be identified. The DEIR identified Alternative 5, Reduced Turbine Footprint—Bear River Ridge, as the environmentally superior alternative. Compared to the proposed project, this alternative would reduce impacts on all resource areas except biological resources, GHG emissions, and fire protection services and wildfire hazards. Alternative 3, Reduced Turbine Footprint—Monument Ridge, would also meet most of the project objectives, although not to the same extent as the proposed project because it would fail to generate 155 MW of renewable energy.

As previously discussed, the City believes offshore facilities should be evaluated as a possible alternative. According to the Schatz Energy Research Center, the offshore wind resource near Humboldt Bay is among the best in the nation, with wind speeds often exceeding 10 meters per second at 90 meters above the ocean's surface — and even faster at heights around 120 meters, where the turbines are likely to be centered. Furthermore, offshore wind speeds have a consistent profile between different seasons and throughout the day (with a peak in the early evening), offering the ability to provide stable power throughout the year and help balance the grid as solar power goes offline at dusk.

Conclusion

Residents also expressed concerns regarding the removal of the WTGs after the projects life (30+/- years). Apparently the removal of WTGs has been an issue in a number of communities throughout the Country and in fact the world. The City recommends, if the project or one of its alternatives is approved that a Performance Bond be required to ensure the visual blight is removed.

As previously indicated the City is also concerned that the project is being fast-tracked. For such a large project that will change the landscape of the area for decades, maybe even longer, the City believes the County should move cautiously. The City understands that there are significant tax credits (Production Tax Credits and Investment Tax Credits) available to the applicant for projects that start construction before the end of 2019. This should not cause the County to act hastily.

Although the applicant has held a number of outreach meetings, we are concerned and surprised that so many people are not aware of the project.

Included are copies of City Council minutes regarding public comment about the project. We respectfully request that they be considered and responded to in the Final Environmental Impact Report (FEIR).

With the deferral of technical studies, including Geologic Reports and Grading Plans, the required Mitigation Monitoring and Reporting Program (MMRP), the City believes that the DEIR is technically and legally flawed. At this point the public and the decision makers have no idea how much grading will occur and if the areas to be graded and filled are stable enough to support the activity. At a minimum the City believes all the deferred technical studies and MMRP should be included in the DEIR and the DEIR be recirculated for public comment.

For the reasons discussed herein the City of Rio Dell officially **opposes** the proposed Humboldt Wind Energy project and recommends the "No Project" alternative in the DEIR.

Respectfully,

Debra Garnes, Mayor

Enclosure:

Minutes of Comment at the May 7th and May 14th

Copy:

Humboldt County Board of Supervisors

Humboldt County Planning Commission

675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532



For Meeting of: June 4, 2019

☐ Consent Item; ☒ Public Hearing Item

To: City Council

From: Kevin Caldwell, Community Development Director

A handwritten signature in blue ink, appearing to be "K. Caldwell", with a circular flourish at the end.

Through: Kyle Knopp, City Manager

A handwritten signature in blue ink, appearing to be "K. Knopp", with a stylized flourish.

Date: May 29, 2019

Subject: Retail Cannabis Proposals

Recommendation:

That the City Council:

1. Review the six proposals previously provided, allow the submitters to make a short presentation and answer any questions the Council may have; and
2. Open the public hearing, receive public input and deliberate; and
3. Identify the top four proposals and authorize the top three to submit the required Conditional Use Permit application.

Background and Discussion

On March 19, 2019, your Council adopted amendments to allow cannabis retail sales consistent with State and local regulations in the Industrial Commercial (IC) zone located at the Humboldt Rio Dell Business Park and up to three retail operations in the Town Center (TC) zone.

The Council directed staff to issue a Request For Proposals (RFP) to identify up to three retail operators in the Town Center zone. The RFP was released on April 11, 2019. Proposals were

due by May 10th before 5:00 pm. The City received six proposals. Copies of the proposals were provided to your Council on May 17th. Staff requested that the Council provide any questions regarding the proposals to staff on or before May 29th so staff could contact the submitters and get any additional information the Council may have. Staff has not received any questions or requests for additional information from the Council. It should be noted that staff was requested to not make the proposals public information based on what they considered to be proprietary information regarding their business model/plan.

The Council established an Ad Hoc Committee consisting of Council member Richter, who was replaced by Mayor Garnes, Council member Woodall, the Community Development Director and the City Manager.

The proposals were evaluated based primarily on the following elements:

- Experience
- Financial Capital
- Interior and Exterior Design
- Business Model/Plan of Operation

The Ad Hoc Committee met on May 16th and ranked the proposals as follows:

1. Rio Dell Remedies
2. Element 7
3. Proper Wellness Center
4. Humboldt Legacy
5. MedBuddy
6. Café Joint

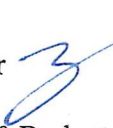
It should be noted that one of the partners of Café Joint decided not to pursue an application and subsequently withdrew his offer for the Green Bean.

Once the Council identifies the top three proposals, the application for the required Conditional Use Permit is supposed to be submitted on or before June 28, 2019. If the applicant demonstrates “good cause” for not being able to submit the application by June 28th, the City may extend the deadline to July 12th. Should the City not receive the three applications by the deadline, the next ranked proposal would be allowed to make application.



*Rio Dell City Hall
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
cityofriodell.ca.gov*

June 4, 2019

TO: Rio Dell City Council
FROM: Kyle Knopp, City Manager 
SUBJECT: Presentation of FY 2019-20 Budget

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Provide direction to staff, if any, and direct staff to return on June 18, 2019 with adoption of the Final Budget.

BACKGROUND AND DISCUSSION

On May 7, 2019 the first budget workshop was held at City Hall. The Council also met on May 14th to review the budget. Tonight's agenda item represents the official presentation of the recommended budget.

Since the Council last saw this budget, a few changes have been made:

- \$1,000 added to the Building Department for the purchase of new publications.
- Roll over of \$32,000 in unspent street funds for projects in the new fiscal year.
- \$43,232 in unspent TDA funds allocated for streets projects.

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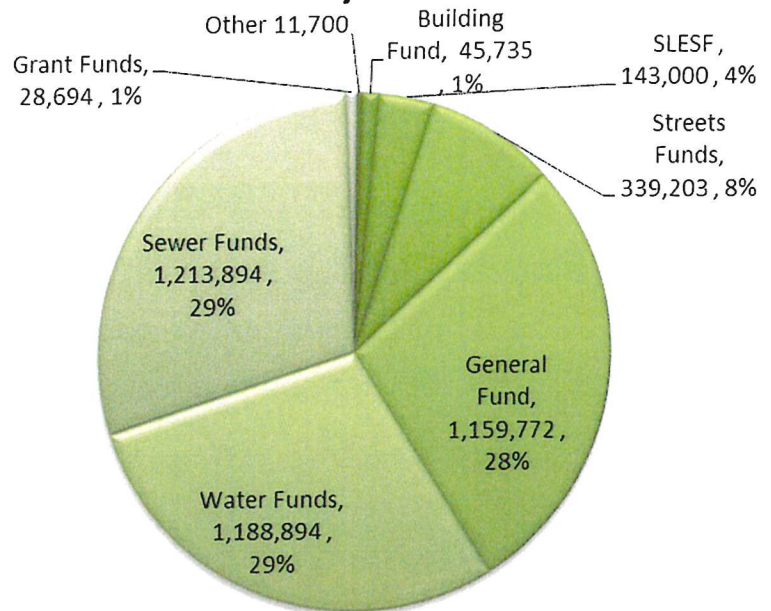
INTRODUCTION

INTRODUCTION

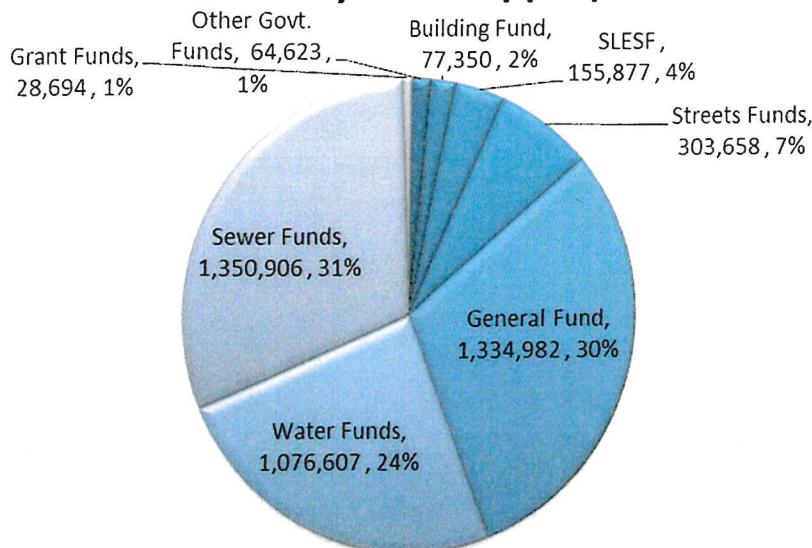
REVENUES for the 2019/20 proposed budget total \$4,130,892. The City's major funds - the General Fund, Sewer Fund and Water Fund - account for 86% (\$3,562,560) of total revenues for FY 2019/20.

- General Fund revenues account for \$1,159,772, or 28% of total budgeted amounts
- The water and sewer utility funds total \$2,402,788, or 58% of budgeted amounts for operations, debt service, and capital funds
- The Streets funds total \$339,203 (8%) of total revenues
- Grant funds total \$28,694(1%) for Measure Z
- Supplemental Law Enforcement Services Fund \$143,000 (2%)
- Building Fund \$45,735 (1%)
- The remaining 1% of revenues are governmental special revenue funds

FY2019-20 City-Wide Revenue



FY 2019-20 City-Wide Appropriations



APPROPRIATIONS Total City-wide adopted appropriations are \$4,392,697.

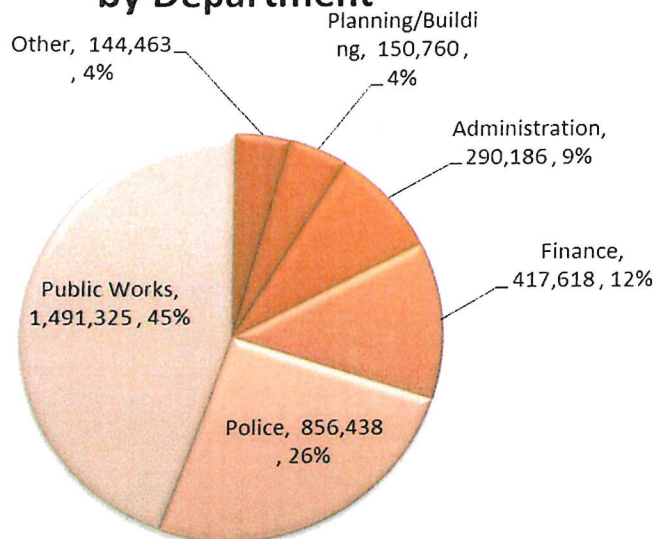
- General Fund appropriations are \$1,334,982 (30%)
- Water Fund appropriations are \$1,079,607 (24%)
- Sewer Fund appropriations are \$1,350,906 (28%)

INTRODUCTION

- Grant Funds are \$28,694 (1%) for Measure Z
- Other appropriations include the Streets Funds \$303,658 (7%), Building Fund \$77,350(2%), SLESF \$155,877 (4%), and other Governmental Funds \$64,623 (1%).

OPERATING APPROPRIATIONS (\$3,350,790) At the department level expenditures are allocated out of the various funds depending on departmental activities. For example, the General Fund, the City's discretionary revenue source, appropriated amounts are allocated to departmental functions necessary in carrying out City business that aren't allocable to any other fund. For further details on fund allocations, see departmental summaries.

FY 2019-20 City-Wide Appropriations by Department



- The Police Department expenditures are 26% of the City's total operating budget (\$856,438).

- Public Works (Sewer Ops, Water Ops, Streets, and Buildings & Grounds) account for 45% (\$1,491,325) of total budgeted operating appropriations

- Administration of the City's functions (City

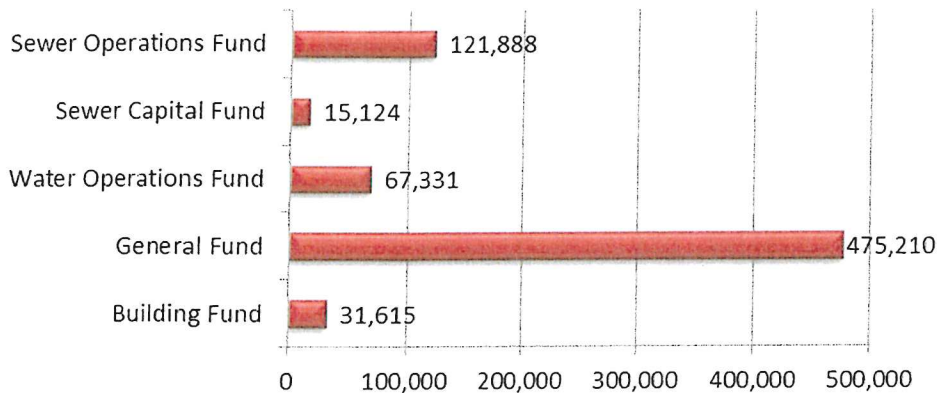
Manager, City Attorney and City Clerk) amounts to 9% of appropriations.

- The Finance Department represents 12 percent of operating expenses or \$417,618.
- Planning and Building Departments represent 4 percent of appropriations or \$150,760.
- The "Other" category covers the City Council, Administration Car, Recycling and General Government. It represents 4% of appropriations or \$144,463.

INTRODUCTION

Budgeted changes to FUND BALANCES show a net decrease of \$261,805 across all funds. This is a significant improvement over FY 2018-19's projected decrease of \$707,649. The following charts summarize significant (> \$15,000) budgeted changes to fund balances.

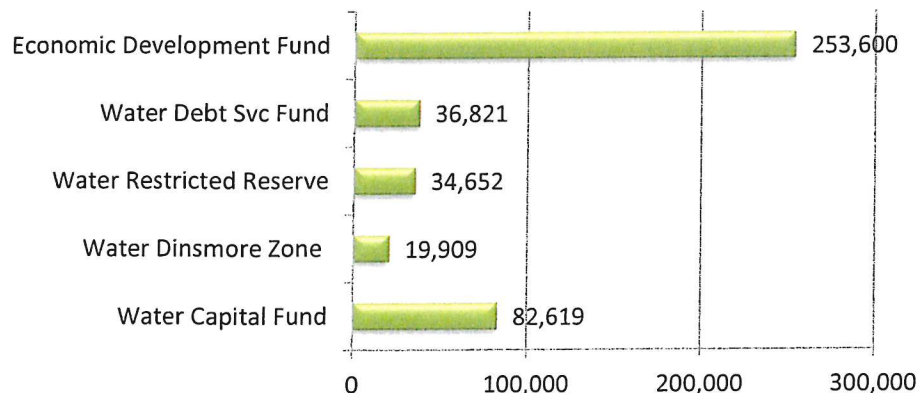
FY 2019-20 Significant Changes to Fund Balance - Negative



- Sewer Operations Fund decline of \$121,888
- Sewer Capital Fund decline of \$15,124
- Water Operations Fund decline of \$67,331

- General Fund Decline of \$475,210 this includes a inter-fund transfer of \$300,000 to the Economic Development Fund.
- Building Fund decline of \$31,615.

FY 2019-20 Significant Changes to Fund Balance - Positive



- Economic Development Fund – newly created with \$300,000 General Fund Transfer with an estimated ending fund balance of \$253,600
- Water Service Debt Service Fund

increase of \$36,821.

- Water Restricted Reserve increase of \$34,652



INTRODUCTION

- Water Dinsmore =Zone Fund increase of \$19,909
- Water Capital Fund increase of \$82,916



PRIORITIZATION

On April 2, 2019 the City Council and staff held a PRIORITY SETTING session to discuss the priorities of the City Council for the upcoming year. The council underwent a priority setting exercise that listed individual councilmembers priorities that were then subdivided by topic area. Below is a list of the past three years of priorities, including the current priority list for FY 2019-20.

Priorities		
2017	2018	2019
Street Work	Street Work	Code Enforcement
Habitat Parcel	River Access	PD Employees
I&I Mitigation	Habitat Parcel	Street Work
Tax Measure	Code Enforcement	Water Sewer Study
Proposition 64	Access Humboldt	Economic Development

The following list describes how the Councils priorities are reflected in the FY 2019-20 budget.

- ▶ **Code Enforcement:** This budget maintains the additional FY 18-19 allocation of \$30,000 to the Police Department for enhanced abatement activity. This budget maintains the 1 FTE increase in the Police Department from FY 18-19 and increases .20 FTE reserve officer. Current reserve officer has prior code enforcement experience.
- ▶ **Police Department Personnel Recruitment and Retention:** This budget maintains the 1 FTE increase in officer staffing from FY 18-19 and increases .2 FTE for a reserve officer who can help fill in for vacation and training time. Absorbs \$22,400 increase in the cost of dispatch services and maintains \$28,694 in Measure Z funded clerical support. This budget also allocates \$35,000 for a compensation study.
- ▶ **Street Work:** This budget maintains the Streets General Fund subsidy of \$107,000 and rolls over \$32,000 in unspent funds from FY 2018-19. Additionally, unspent TDA funds in the amount \$43,232 were allocated to the budget for a total increase in street related projects of \$182,232 for FY 2019-20.
- ▶ **Water & Sewer Study:** This budget allocates \$30,000 for a water rates study. Any study will require the approval of the City Council before moving forward.
- ▶ **Economic Development:** This budget provides for the creation of a new economic development fund through an interfund transfer from the General Fund. The new fund would be created using \$300,000 of these funds with a budgeted draw down of \$46,400 during FY 2019-20.



POSITION ALLOCATION TABLE

FISCAL YEAR 2019/20					
POSITION ALLOCATION TABLE					
JOB TITLE	FULL-TIME EMPLOYEES (FTEs)				
	2015/16	2016/17	2017/18	2018/19	2019/20
Accountant I/II	1.0	1.0	1.0	1.0	1.0
Chief of Police	1.0	1.0	1.0	1.0	1.0
City Clerk	1.0	1.0	1.0	1.0	1.0
City Manager/Public Works Director	1.0	1.0	1.0	1.0	1.0
Community Development Director	0.8	0.8	0.8	0.8	0.8
Finance Director	1.0	1.0	1.0	1.0	1.0
Fiscal Assistant II	1.0	1.0	1.0	1.0	1.0
Public Works Leadman	1.0	--	1.0	1.0	1.0
Police Officer	3.0	3.0	3.0	4.0	4.25
Records Technician	0.7	0.7	0.7	0.7	0.7
Sergeant	1.0	1.0	1.0	1.0	1.0
Senior Fiscal Assistant	1.0	1.0	1.0	1.0	1.0
Utility Worker I	3.0	2.0	2.0	2.5	2.5
Water/Wastewater Plant Operator I	1.0	1.0	1.0	2.0	2.0
Operator in Training (OIT)	--	--	--	1.0	1.0
Wastewater Superintendent Trainee	--	1.0	1.0	1.0	--
Wastewater Superintendent	1.0	--	--	--	1.0
Water/Streets Superintendent	1.0	1.0	1.0	1.0	1.0
	19.50	17.50	18.5	22	22.25

The 2019/20 recommended Operating and Capital budget includes 22.25 full-time equivalents (FTEs). 20 allocations would be filled by full time employees and the remaining two FTE's would be filled between four other part time employees.

The Rio Dell Employee's Association (RDEA) is made up of 3.0 positions in the Finance Department, 0.7 in the Police Department, and 6.25 positions in Public Works for a total staffing of 9.95 FTEs. It has been proposed that the Accountant position be removed from the RDEA.

The Rio Dell Police Officer's Association (RDPOA) is made up of 4.0 Police Officers and 1.0 Police Sergeant for total staffing of 5.0 FTEs.

Contract employees for the City of Rio Dell total 6.8 budgeted positions that are assigned to various departments (Public Works Wastewater – Superintendent Trainee and Water/Streets Superintendent (2.0); The Police Department – Chief of Police (1); City Manager Department – City Manager (1) and City Clerk (.6); Finance Department – Finance Director (1); Building Department – Comm. Devel. Dir. (.25) and City Clerk (.2); Planning Department – Comm. Devel. Dir. (.2) and City Clerk (.2); General Government Department – Comm. Devel. Dir. (.35).

00 REVENUES	6/30/2017 Actual	6/30/2017 Budget	6/30/2018 Actual	6/30/2018 Budget	3/31/2019 Y-T-D Actual	6/30/2019 Budget	/ / Proposed	FUND
Revenue								
4010 Tax - Property Current Secured	106,862	102,000	110,376	107,246	55,100	113,371	113,371	GENERAL FUND
4011 Tax - Property Current Unsecur	4,048	3,600	3,892	7,426	4,158	3,700	3,700	GENERAL FUND
4013 Tax - Property Prior Unsecured	35	100	66	46	24	50	50	GENERAL FUND
4025 Tax - Supplemental Roll	1,780	2,200	1,555	1,798	533	600	600	GENERAL FUND
4026 Tax - Home Owner's Property	1,343	1,400	1,360	1,342	199	1,380	1,380	GENERAL FUND
4027 Tax - Prior Years - Supplemental	159	-	220	172	122	120	120	GENERAL FUND
4030 Tax - Transient Occupancy Tax	13,697	10,500	13,857	13,152	5,218	13,152	13,152	GENERAL FUND
4035 Tax - Timber Yield	15	10	32	26	26	18	18	GENERAL FUND
4040 Tax - Retail Sales	175,143	100,500	203,758	123,997	89,334	139,143	189,451	GENERAL FUND
4041 Tax - In Lieu Retail Sales - County	-	16,000	-	-	-	-	-	GENERAL FUND
4042 Tax - Measure U Sales Tax	255,944	170,000	289,425	233,168	134,959	245,000	265,000	GENERAL FUND
4045 Tax - (HCAOG) Transportation - TDA	111,856	111,600	114,217	114,217	70,910	124,891	126,140	STREET'S FUNDS
4046 SB1 RMRA	-	-	12,892	19,301	37,965	57,241	55,746	STREET'S FUNDS
4048 Tax - Gasoline (Highway Users Tax)	79,588	74,339	72,769	100,580	51,765	94,168	94,614	STREET'S FUNDS
4050 Tax - Documentary Real Property	7,895	2,800	6,965	2,365	5,111	5,200	7,430	GENERAL FUND
4056 Tax - Public Safety .5% sales	3,457	3,300	3,957	2,460	1,041	3,100	3,707	GENERAL FUND
4110 Fees - Franchise - Electric	31,581	27,000	28,123	28,869	-	32,213	32,213	GENERAL FUND
4115 Fees - Franchise - Gas	6,550	6,000	9,138	6,020	-	6,681	6,681	GENERAL FUND
4120 Fees - Franchise - Garbage	17,252	15,000	13,088	16,778	13,566	17,597	17,597	GENERAL FUND
4125 Fees - Franchise - Cable TV	36,952	33,600	35,341	36,144	17,431	37,691	37,691	GENERAL FUND
4150 Fees - Business License	9,543	9,000	10,313	10,694	5,868	9,500	9,557	GENERAL FUND
4151 Fees - Business License CASP SB1186	238	180	581	285	508	310	702	GENERAL FUND
4152 Fees - Memorial Park	90	-	95	-	100	-	95	GENERAL FUND
4153 Cannabis Stamp Fees	-	-	420	-	200	-	-	GENERAL FUND
4154 CANNABIS REVENUES	-	-	23,000	-	11,382	-	-	GENERAL FUND
4155 Cannabis Business Tax Revenue	-	-	-	-	4,000	-	16,000	GENERAL FUND
4162 Fees - Motor Vehicle License (VLF)	9,160	7,100	13,999	4,309	1,617	11,569	20,000	GENERAL FUND
4163 Fees - In Lieu VLF - County	356,193	342,000	369,160	356,194	-	361,536	11,569	GENERAL FUND
4170 Fees - Animal License	2,432	1,350	1,199	1,657	1,873	1,657	375,777	GENERAL FUND
4173 Fees - Animal Control/Relinq.	422	1,200	316	928	332	650	650	GENERAL FUND
4178 Fees - Booking	155	500	784	350	342	350	350	GENERAL FUND
4180 Fees - Notary	170	-	120	75	75	120	120	GENERAL FUND
4183 Fees - Special Police Services	3,900	1,900	1,951	2,100	1,090	3,700	1,900	GENERAL FUND
4190 Fees - Integrated Waste Management	10,359	9,000	6,698	9,000	2,110	9,800	9,000	SOLID W. FUND
4195 Fees - Customer fax and copy	110	25	99	35	45	57	90	GENERAL FUND
4199 Sewer Lien Fees	90	-	-	-	-	-	-	GENERAL FUND
4230 Fines - Building Code	-	-	-	-	-	-	-	GENERAL FUND
4240 Fines - Other	-	-	-	-	920	-	-	GENERAL FUND
4310 Interest Income	13,722	-	1,842	800	30,750	1,400	-	GENERAL FUND
4320 Rental Income - U.S. Cellular	6,727	6,500	6,882	6,657	4,652	6,657	7,073	GENERAL FUND

00 REVENUES	6/30/2017 Actual	6/30/2017 Budget	6/30/2018 Actual	6/30/2018 Budget	3/31/2019 Y-T-D Actual	6/30/2019 Budget	/ / Proposed	FUND
Revenue								
4321 Rental Income - T. Mobile	14,100	11,800	14,664	14,212	11,407	14,496	15,372	GENERAL FUND
4410 Building Plan - Constr Permits	18,488	13,885	18,912	14,500	14,466	14,500	20,000	BUILDING FUND
4420 Planning - Zoning Fees	5,296	2,500	5,993	2,500	3,597	2,500	5,000	GENERAL FUND
4430 Planning - Subdivision Fee	-	1,500	-	-	-	-	-	GENERAL FUND
4435 Planning - Home Occupation Permit Fee	400	200	320	200	120	200	200	GENERAL FUND
4440 Building Plan - Plan Check Fee	4,154	3,950	8,564	4,100	3,825	4,100	10,000	BUILDING FUND
4445 Building - Administrative Fees	17,508	14,000	16,035	15,500	12,434	15,500	15,000	BUILDING FUND
4456 Planning - Parks & Recreation Developm	4,500	-	1,500	1,500	-	1,500	1,500	PARKS AND REC
4460 Building Plan - Seismic Fees	177	125	442	75	270	75	75	BUILDING FUND
4462 Building Standards - SB1473	85	66	108	56	74	56	60	BUILDING FUND
4463 Building - Continuing Education	156	110	161	100	112	100	200	BUILDING FUND
4464 Building - Technology Fee	353	340	361	300	251	300	400	BUILDING FUND
4465 Encroachment Permits	500	425	1,175	500	1,375	500	1,500	GENERAL FUND
4480 Insurance Premium Reimbursement	27,789	-	19,921	650	-	-	-	GENERAL FUND
4510 Sewer - Service	844,726	758,656	795,560	803,326	553,995	805,212	779,649	SEWER FUND
4516 Sewer - Debt Service (14)	213,884	310,000	315,539	303,000	218,249	302,899	302,899	SEWER FUND
4520 Sewer - Connection	15,660	5,220	20,880	5,000	15,660	5,000	5,000	SEWER FUND
4540 Sewer - Replacement Reserve (14)	136,999	98,344	97,880	71,930	67,156	97,076	97,076	SEWER FUND
4610 Water - Service	686,728	667,805	755,966	684,720	513,174	760,476	748,406	WATER FUND
4615 Water - Debt Service (14)	156,094	152,371	171,700	136,700	116,885	172,821	172,821	WATER FUND
4616 Water - Debt Service Restricted (14)	31,222	-	34,338	27,500	23,376	34,562	34,562	WATER FUND
4620 Water - Connection	9,259	2,700	8,100	5,400	10,800	13,500	-	WATER FUND
4630 Late Fee	47,572	41,200	52,707	25,000	35,713	40,000	50,000	WATER FUND
4635 Delinquent Fees	8,810	6,180	9,130	12,500	7,270	8,540	8,540	WATER FUND
4640 Water - Damage Replacement	-	-	400	-	-	-	-	WATER FUND
4650 Water - Capital	150,983	193,510	165,979	172,584	112,978	167,061	164,319	WATER FUND
4653 Water - Metro Wells	15,606	11,697	17,178	14,795	11,693	17,291	17,006	WATER FUND
4654 Water - Dinmore Zone	19,378	17,466	22,196	22,744	14,419	22,509	22,509	WATER FUND
4700 Grant Revenue	-	-	100,000	-	-	-	-	STREETS FUND
4712 Grant Restricted - RSTP HCAOG	22,358	22,000	27,451	27,451	(27,451)	22,000	24,500	GENERAL FUND
4725 Gen. Fund Income from CDBG Principal	40,982	12,000	44,246	3,174	22,114	3,174	-	GENERAL FUND
4727 Late Fees - GEN. FUND FROM CDBG PI	-	-	1	-	-	-	-	GENERAL FUND
4740 Grant Restr - Police Grant SLESF	97,058	100,000	139,416	100,000	119,681	100,000	143,000	SLESF FUND
4744 Grant Restr - Police Realignment Grant	-	5,500	-	4,800	-	-	-	GENERAL FUND
4746 Grant Restristed - Recycling	10,000	5,000	5,000	5,000	-	5,000	-	GENERAL FUND
4747 Grant - Measure Z	29,402	35,569	26,112	34,100	12,742	34,582	28,694	MEASURE Z
4763 Grant Rest. - Prop. 84/NCIRWMP	27,467	591,794	488,206	-	-	-	-	GENERAL FUND
4764 Grant Rest. -USDA ECWAG	215,050	-	158,150	-	-	-	-	GENERAL FUND
4766 Grant Restricted - ATPL-5396	1,151	-	96,838	-	-	1,000,000	-	GENERAL FUND
4802 Donations- Bicycle Helmets	650	-	-	-	500	-	-	GENERAL FUND

00 REVENUES	6/30/2017 Actual	6/30/2017 Budget	6/30/2018 Actual	6/30/2018 Budget	3/31/2019 Y-T-D Actual	6/30/2019 Budget	/ / Proposed	FUND
Revenue								
4804 Sculptures on the Avenue	-	-	1,250	-	-	-	-	
4900 Interfund Revenue	2,239	2,800	1,977	2,387	932	1,760	1,200	ADMIN FUND
4920 Misc - Special Public Works	2,263	-	1,409	1,745	-	1,746	-	
4950 Misc	429	-	485	325	420	-	-	
4990 Misc - Other	18,333	-	861	100	370	-	-	
4995 Donations	163	-	-	500	200	-	-	
4999 Revenue- Reserves	-	400,714	-	-	-	-	-	
Total Revenue	3,630,091	3,990,416	4,390,530	3,190,135	2,011,786	4,367,300 9,338,958	4,092,689	

REVENUE BY FUND					OTHER FUNDS			
Admin Fund	1,200	005	CDBG Fund	-	037			
Parks Fund	1,500	015	CDBG RRLF Fund	-	039			
Solid Waste Fund	9,000	027	Economic Development	-	003			
Water Metro Wells Fund	17,006	063	Recycling Fund	-	074			
Water Dismore Zone	22,509	064	STIP ATP Grant	-	043			
RSTP Fund	24,500	026	Redignment Grant Fund	-	046			
Measure Z Fund	28,694	044	Vehicle Abatement Fund	-				
Water Restricted Reserve	34,562	061	Spay & Neuter Fund	-				
Building Fund	45,735	008	Water CIP Grant	-	070			
SB1 (RMRA) Fund	55,746	021						
Gas Tax Fund (HUTA)	94,614	020						
Sewer Capital Fund	102,076	052						
TDA Fund	164,343	024						
SLESF Fund	143,000	040						
Water Capital Fund	164,319	062						
Water Debt Svc Fund	172,821	061						
Sewer Debt Svc Fund	302,899	054						
Water Operations Fund	777,676	060						
Sewer Operations Fund	808,919	050						
General Fund	1,159,772	000						
TOTAL REVENUE	4,130,892							

02 CITY MANAGER		6/30/2017	6/30/2017	6/30/2018	6/30/2018	3/15/2019	6/30/2019	Proposed	ADJUSTMENTS
		Actual	Budget	Actual	Budget	Y-T-D Actual	Budget	/ /	
EXPENDITURES									
5000	Full Time Salaries	153,056	154,945	144,899	151,968	102,690	156,003	159,023	
5026	Part Time Temporary Salaries	-	-	-	-	199	-	-	
5030	Overtime Salaries	-	-	-	-	-	-	-	
5035	Benefit - ICMA City 457	19,044	17,312	19,247	19,153	13,465	17,600	19,983	
5040	Benefit - Health Insurance	14,203	14,680	13,788	13,745	11,347	15,855	16,942	
5041	Health Savings	(240)	(600)	-	-	-	-	-	
5042	Benefit - Life Insurance	332	303	315	333	241	339	285	
5044	Benefit - Dental/Vision Insur	1,908	1,948	1,820	1,754	1,505	1,914	955	
5045	Worker Compensation Insurance	1,685	2,025	1,436	2,245	921	3,119	8,278	
5050	FICA	12,013	11,852	12,238	11,451	8,804	11,936	13,694	
5055	Unemployment Insurance	686	685	644	707	691	755	688	
5060	Clothing Allowance	-	-	-	-	-	-	-	
5069	Accrued Payroll Taxes Expense	141	-	18	-	(720)	-	-	
5081	Compensated Absences Payable	283	-	(920)	-	-	-	-	
5101	Office Supplies	790	1,500	916	1,500	375	1,502	1,502	
5102	Operating Supplies	129	348	183	348	168	349	349	
5103	Postage	586	252	587	547	593	546	546	
5104	Printing - Forms	4,826	4,000	4,009	4,350	1,725	4,350	4,350	
5105	Advertising	152	-	-	210	650	209	209	
5106	Promotional	241	-	-	200	438	200	200	
5112	Legal	28,273	15,000	19,341	28,700	11,463	23,702	23,702	
5115	Contract/Professional Services	4,318	33,300	6,996	14,649	1,847	9,647	9,647	
5120	Cell Phones	1,404	1,400	1,462	1,500	1,597	1,502	2,219	
5121	Telephone - Pager	137	360	185	360	92	359	359	
5122	Training - Conference	1,791	3,000	456	3,000	1,530	3,000	3,000	
5123	Automobile - Transportation	4,896	4,645	4,819	4,645	3,245	4,644	4,644	
5125	Publications - Books	440	52	247	87	24	86	86	
5126	Dues & Memberships	1,594	1,100	5,214	3,850	3,160	2,000	2,000	
5128	Employee Relations	-	100	-	100	-	102	102	
5130	Rents - Leases	1,169	2,100	1,158	1,925	793	1,924	1,924	
5131	Records Maintenance	141	112	83	128	52	127	127	
5135	Maintenance - Repair	699	700	1,108	700	418	702	702	
5138	Office Equipment	4,030	3,496	1,783	1,405	1,122	1,406	1,406	
5139	Equipment	37	500	-	500	-	1,702	500	
5141	General Liability Insurance	5,184	8,538	5,210	3,510	3,175	3,511	3,511	Decreased (\$1,200) Chairs purchased 18/19
5143	Property Insurance	777	1,672	977	574	738	574	574	
5144	Emp Practice Liab Insurance	386	1,400	425	225	253	226	226	
5150	Electricity	760	1,475	637	795	567	794	794	
5151	Natural Gas	194	140	86	140	72	140	140	
5152	Water	214	225	375	225	395	226	226	
5153	Sewer	106	103	238	103	126	102	102	
5160	Elections	1,060	-	5,601	5,601	-	1,400	-	Decreased (\$1,400) Non election year
5166	LAFCO Fees	1,083	1,500	1,029	1,850	-	1,851	1,851	
5171	Computer Software	31	500	257	500	1	502	502	
5173	Computer Maintenance - Support	2,441	2,740	2,485	2,743	1,708	2,743	2,743	
5174	Web Design Services	435	400	477	875	29	876	876	
5212	Gas & Oil	21	-	-	-	-	-	-	

02 CITY MANAGER	6/30/2017	6/30/2017	6/30/2018	6/30/2018	3/15/2019	6/30/2019	/	ADJUSTMENTS
EXPENDITURES	Actual	Budget	Actual	Budget	V-T-D Actual	Budget	Proposed	
5514 Engineering	638	1,000	2,446	1,000	1,194	1,000	1,000	
5520 Improvements	-	220	-	220	-	220	220	
TOTAL EXPENDITURES	272,094	295,028	262,175	288,421	176,693	279,745	290,186	

ALLOCATION BY FUND						TOTAL
000	020	024	050	060		
GENERAL	GAS TAX	TDA	SEWER	WATER FUND		
FUND	FUND	FUND	FUND			
35%	3%	2%	30%	30%	100%	
101,565	8,706	5,804	87,056	87,056	290,186	

03 FINANCE DEPARTMENT		6/30/2017	6/30/2017	6/30/2018	6/30/2018	3/15/2019	6/30/2019	/ /		ADJUSTMENTS
EXPENDITURES		Actual	Budget	Actual	Budget	Y-T-D Actual	Budget	Proposed		
5000	Full Time Salaries	200,523	198,080	205,249	210,330	133,029	203,146	210,614		
5026	Part Time Temporary Salaries									
5030	Overtime Salaries	-	-	793	-	2,302	-	-		
5035	Benefit - ICMA City 457	20,341	20,965	21,255	21,355	14,307	21,334	24,593		
5040	Benefit - Health Insurance	34,498	33,217	37,137	38,397	28,110	51,660	64,405		
5041	Health Savings	2,400	600	-	-	-	-	-		
5042	Benefit - Life Insurance	624	480	724	768	495	900	720		
5044	Benefit - Dental/Vision Insur	5,087	5,120	6,378	5,973	3,363	6,602	7,250		
5045	Worker Compensation Insurance	2,188	2,600	2,031	3,050	1,161	4,063	1,247		
5050	FICA	16,778	15,155	17,103	15,555	11,391	15,540	17,993		
5055	Unemployment Insurance	1,736	1,737	2,079	1,905	2,158	1,903	1,736		
5060	Clothing Allowance									
5069	Accrued Payroll Taxes Expense	127	-	(4)	-	(586)	-	-		
5080	Hiring Costs		-	620	-	434	-	-		
5081	Compensated Absences Payable	443		1,102						
5101	Office Supplies	2,326	3,612	2,797	3,612	1,822	3,611	3,611		
5102	Operating Supplies	194	800	124	500	149	500	500		
5103	Postage	1,980	4,052	1,986	3,500	1,049	3,500	3,500		
5104	Printing - Forms	2,127	3,300	1,217	3,301	835	3,300	3,300		
5106	Promotional	-	-	-	50	23	52	52		
5110	Accounting	17,231	26,500	34,970	32,000	7,450	32,000	32,000		
5112	Legal	44	400	516	400	-	400	400		
5115	Contract/Professional Services	21	752	28	750	101	3,000	3,000	Measure X assistance	
5116	Bank Fees	671	2,200	968	1,200	942	1,200	1,200		
5120	Cell Phones	1,405	1,400	1,400	1,450	1,008	1,452	1,400		
5121	Telephone - Pager	140	800	187	283	92	283	283		
5122	Training - Conference	4,097	4,496	1,535	2,902	3,759	2,903	2,903		
5123	Automobile - Transportation	471	1,300	1,358	3,209	1,406	3,208	3,208		
5125	Publications - Books	17	95	75	95	25	95	95		
5126	Dues & Memberships	220	125	224	125	299	125	125		
5127	License		-	43	-		-	-		
5130	Rents - Leases	1,065	2,500	1,054	1,750	725	1,752	1,752		
5131	Records Maintenance	995	1,000	804	1,000	533	1,000	1,000		
5135	Maintenance - Repair	517	1,952	780	1,600	410	1,600	1,600		
5138	Office Equipment	2,469	5,200	2,210	3,200	1,958	3,200	3,780	Battery backup \$580 added (4)	
5139	Equipment	38	-		-		-	-		
5141	General Liability Insurance	5,304	8,480	5,331	2,127	3,249	2,126	2,126		
5143	Property Insurance	795	1,660	1,000	348	755	348	348		
5144	Emp Practice Liab Insurance	395	1,600	435	136	258	136	136		
5150	Electricity	777	1,463	651	1,400	580	1,400	1,400		
5151	Natural Gas	61	140	89	140	74	140	140		
5152	Water	483	365	514	585	518	585	585		
5153	Sewer	240	222	324	280	166	280	280		
5163	Property Tax Admin Fees	2,760	3,000	1,416	2,800	-	2,800	2,800		
5171	Computer Software	280	200	536	200	511	2,000	2,000	DocStar Licenses	
5173	Computer Maintenance - Support	13,338	15,220	12,570	15,183	9,678	15,183	15,183		
5174	Web Design Services	87	252	130	350	29	352	352		

03 FINANCE DEPARTMENT		6/30/2017	6/30/2017	6/30/2018	6/30/2018	3/15/2019	6/30/2019	/ /	ADJUSTMENTS
EXPENDITURES		Actual	Budget	Actual	Budget	Y-T-D Actual	Budget	Proposed	
Total Expenditures		345,293	371,040	369,739	381,809	234,568	393,679	417,618	

ALLOCATION BY FUND						TOTAL
000	020	024	050	060		
GENERAL FUND	GAS TAX FUND	TDA FUND	SEWER FUND	WATER FUND		
20%	1%	1%	39%	39%	100%	
83,524	4,176	4,176	162,871	162,871	417,618	

RECYCLING		6/30/2017 Actual	6/30/2017 Budget	6/30/2018 Actual	6/30/2018 Budget	3/15/2019 Y-T-D Actual	6/30/2019 Budget	/ / Proposed	ADJUSTMENTS
EXPENDITURES									
5000	Full Time Salaries	2,213	2,180	1,701	1,799	1,145	1,799	1,838	
5026	Part Time Temporary Salaries							-	
5030	Overtime Salaries	-	-	153	-	1	-	-	
5035	Benefit - ICMA City 457	254	249	250	238	160	204	238	
5040	Benefit - Health Insurance	138	138	113	112	92	118	140	
5042	Benefit - Life Insurance	4	4	3	3	2	3	3	
5044	Benefit - Dental/Vision Insur	19	19	15	15	11	15	15	
5045	Worker Compensation Insurance	45	32	47	27	10	36	10	
5050	FICA	174	171	157	138	98	138	159	
5055	Unemployment Insurance	8	8	7	7	7	7	7	
5060	Clothing Allowance							-	
5069	Accrued Payroll Taxes Expense	10	-	-	-	(10)	-	-	
5101	Office Supplies	22	17	24	17	11	17	17	
5102	Operating Supplies	11	50	8	50	14	50	50	
5103	Postage	31	23	22	23	-	23	23	
5104	Printing - Forms	35	-	30	-	1	-	-	
5105	Advertising	330	-	-	-	-	-	-	
5106	Promotional	-	-	-	-	2	-	-	
5112	Legal	1,091	1,091	535	-	629	-	-	
5115	Contract Professional Services	7,002	8,531	(1,997)	5,000	9	5,000	-	
5120	Cell Phones	-	-	21	-	15	-	-	
5121	Telephone - Pager	13	8	17	8	8	8	8	
5123	Automobile - Transportation	1	-	72	-	48	-	-	
5125	Publications - Books	2	-	2	-	2	-	-	
5126	Dues & Memberships	-	-	-	-	-	-	-	
5130	Rents - Leases	43	-	3	-	7	-	-	
5131	Records Maintenance	5	-	1	-	-	-	-	
5135	Maintenance - Repair	33	-	46	-	11	-	-	
5139	Equipment	3	-	-	-	-	800	8,000	Increased for City garbage cans
5141	General Liability Insurance	482	234	485	234	295	234	234	
5143	Property Insurance	72	46	91	46	69	46	46	
5144	Emp Practice Liab Insurance	36	55	40	55	23	55	55	
5150	Electricity	71	44	59	44	53	44	44	
5151	Natural Gas	6	-	8	-	7	-	-	
5154	Garbage	3,028	3,028	4,257	3,180	437	650	3,650	Increased \$3,000 Ewaste Program
5171	Computer Software	-	-	23	-	-	-	-	
5173	Computer Maintenance - Support	44	25	45	25	22	25	25	
5174	Web Design Services	8	20	12	20	3	20	20	
Total Expenditures		15,234	15,973	6,250	11,041	3,182	9,292	14,581	027 Solid Waste Fund 100%

06 ECON DEVELOPMENT	6/30/2017	6/30/2017	6/30/2018	6/30/2018	3/15/2019	6/30/2019	Proposed	ADJUSTMENTS
EXPENDITURES	Actual	Budget	Actual	Budget	Y-T-D Actual	Budget	Y-T-D Actual	
5101 Office Supplies	-	-	-	-	-	-	400	
5106 Promotional	-	-	-	-	-	-	2,000	
5115 Contract/Professional Services	-	-	-	-	-	-	44,000	
Total Expenditures	-	-	-	-	-	-	46,400	003 ECON DEV FUND 100%

05 ADMIN	6/30/2017 Actual	6/30/2017 Budget	6/30/2018 Actual	6/30/2018 Budget	3/15/2019 Y-T-D Actual	6/30/2019 Budget	/ / Proposed	ADJUSTMENTS
EXPENDITURES								
5135 Maintenance - Repair	17	500	-	500	91	500	500	
5212 Gas & Oil	216	500	108	650	175	400	400	
5213 Vehicle Repair	-	250	86	1,500	-	300	300	
Total Expenditures	233	1,250	194	2,650	266	1,200	1,200	005 ADMIN FUND 100%

06 GENERAL GOVERNMENT									
EXPENDITURES									
	6/30/2017 Actual	6/30/2017 Budget	6/30/2018 Actual	6/30/2018 Budget	3/15/2019 Y-T-D Actual	6/30/2019 Budget	/ / Proposed		ADJUSTMENTS
5000 Full Time Salaries	19,842	20,703	20,541	21,043	20,745	31,565	18,112	-	Payroll Allocation Differentiation
5026 Part Time Temporary Salaries	-	-	-	-	-	-	-	-	
5030 Overtime Salaries	-	-	-	-	18	-	-	-	
5035 Benefit - ICMA City 457	2,335	2,355	2,481	3,082	2,491	4,624	2,055	-	
5040 Benefit - Health Insurance	994	976	984	975	984	1,463	750	-	
5041 Health Savings	180	180	-	-	-	-	-	-	
5042 Benefit - Life Insurance	86	86	82	7	91	11	45	-	
5045 Worker Compensation Insurance	1,148	272	849	316	979	631	3,596	-	
5050 FICA	1,788	1,573	1,870	1,610	1,894	2,414	1,543	-	
5055 Unemployment Insurance	130	131	130	143	196	214	109	-	
5060 Clothing Allowance	-	-	-	-	-	-	-	-	
5069 Accrued Payroll Taxes Expense	42	-	(1)	-	(70)	-	-	-	
5081 Compensated Absences Payable	1,230	-	(1,230)	-	-	-	-	-	
5101 Office Supplies	11	106	12	-	6	-	-	-	
5102 Operating Supplies	9	89	4	41	7	41	41	-	
5103 Postage	76	-	62	32	59	32	32	-	
5104 Printing - Forms	64	40	37	39	27	39	39	-	
5106 Promotional	-	-	-	-	1	-	-	-	
5112 Legal	58	-	424	205	29	-	-	-	
5115 Contract/Professional Services	425	10	1	98	5	20,098	20,098	-	Carry over - \$20K income survey
5116 Bank Fees	-	-	66	-	-	-	-	-	
5120 Cell Phones	421	344	414	218	462	218	350	-	
5121 Telephone - Pager	6	90	9	64	5	64	64	-	
5122 Training - Conference	-	-	-	-	-	-	-	-	
5123 Automobile - Transportation	-	-	-	-	-	-	-	-	
5125 Publications - Books	1	-	1	10	1	10	10	-	
5126 Dues & Memberships	-	-	-	-	-	-	-	-	
5130 Rents - Leases	48	205	76	78	50	78	78	-	
5131 Records Maintenance	2	-	-	-	-	-	-	-	
5135 Maintenance - Repair	17	200	23	49	5	49	49	-	
5138 Office Equipment	-	400	-	98	249	998	998	-	
5139 Equipment	2	-	-	-	-	-	-	-	
5141 General Liability Insurance	241	1,600	242	591	148	591	591	-	
5143 Property Insurance	36	401	45	97	34	97	97	-	
5144 Emp Practice Liab Insurance	18	158	20	38	12	38	38	-	
5150 Electricity	35	346	30	54	26	54	54	-	
5151 Natural Gas	3	22	4	17	3	17	17	-	
5171 Computer Software	-	-	13	-	-	-	-	-	
5173 Computer Maintenance - Support	33	179	24	39	11	39	39	-	

5174 Web Design Services	4	40	6	39	1	39	39
Total Expenditures	29,285	30,506	27,219	28,983	28,469	63,424	48,844

ALLOCATION BY FUND		TOTAL
050		
GENERAL FUND	060	
95%	5%	100%
46,402	2,442	

07 POLICE	6/30/2017 Actual	6/30/2017 Budget	6/30/2018 Actual	6/30/2018 Budget	3/15/2019 Y-T-D Actual	6/30/2019 Budget	/ / Proposed	ADJUSTMENTS
EXPENDITURES								
5000 Full Time Salaries	301,164	297,867	280,164	335,119	152,637	320,892	314,316	
5026 Part Time Temporary Salaries	22,915	22,455	23,979	24,621	16,297	26,114	92,280	
5030 Overtime Salaries	15,784	20,391	22,069	23,405	18,801	-	9,200	
5035 Benefit - ICMA City 457	52,636	58,336	49,574	57,802	26,392	60,509	65,029	
5040 Benefit - Health Insurance	67,370	68,952	59,583	71,021	25,843	84,120	61,444	
5041 Health Savings	3,000	3,000	-	-	-	-	-	
5042 Benefit - Life Insurance	1,280	1,056	1,212	1,440	698	1,350	1,620	
5044 Benefit - Dental/Vision Insur	10,522	10,492	8,501	10,517	3,534	12,155	9,245	
5045 Worker Compensation Insurance	35,908	36,039	24,605	33,955	12,984	39,029	23,520	
5050 FICA	29,235	24,623	28,337	26,353	16,416	26,546	37,509	
5055 Unemployment Insurance	2,681	2,716	2,604	2,856	2,354	2,856	3,472	
5060 Clothing Allowance	3,281	3,750	3,125	3,750	1,406	4,500	5,250	
5069 Accrued Payroll Taxes Expense	610	-	(137)	-	(1,530)	-	-	
5080 Hiring Costs	-	3,000	4,553	3,000	5,485	3,000	3,000	
5101 Office Supplies	940	1,200	1,326	1,200	340	1,200	1,200	
5102 Operating Supplies	2,894	2,200	2,546	2,200	1,821	2,200	3,200	Increased \$1000
5103 Postage	537	600	600	600	388	600	600	
5104 Printing - Forms	239	1,000	359	480	228	480	480	
5105 Advertising	-	300	1,152	300	-	300	300	
5106 Promotional	-	50	-	50	-	50	50	
5112 Legal	853	1,000	1,702	1,000	1,975	1,000	1,000	
5115 Contract/Professional Services	4,692	3,650	3,537	3,650	1,605	3,650	3,650	
5117 Animal Control	12,131	12,000	12,184	12,000	8,442	12,000	23,800	Increased \$12,200 new contract, misc. vet
5119 Safety Supplies & Equipment	640	1,239	125	1,239	428	1,239	1,239	
5120 Cell Phones	3,461	3,110	2,959	3,110	2,009	4,500	4,270	
5121 Telephone - Pager	3,975	4,500	2,984	4,500	1,636	4,500	4,500	
5122 Training - Conference	1,147	4,400	2,148	4,400	4,757	9,900	4,719	
5123 Automobile - Transportation	694	500	702	500	40	4,000	4,000	Decreased (\$5,181) POST reimbursement
5125 Publications - Books	139	500	360	500	152	500	500	
5126 Dues & Memberships	331	1,800	785	1,800	6	1,800	1,800	
5127 License	-	-	56	-	-	-	-	
5128 Employee Relations	-	250	-	250	-	250	250	
5130 Rents - Leases	3,086	2,500	1,903	2,900	606	2,900	2,900	
5131 Records Maintenance	239	400	354	400	430	400	400	
5135 Maintenance - Repair	1,375	5,523	1,824	5,523	744	2,523	2,523	
5138 Office Equipment	2,493	4,200	382	2,100	-	4,600	12,525	Increased \$7,925 copy machine, computers
5139 Equipment	15,250	21,046	(1,064)	5,719	-	4,525	10,525	Increased \$6,000 for SLESF fund availability
5141 General Liability Insurance	7,716	12,865	7,754	12,265	4,725	12,265	12,265	
5143 Property Insurance	1,157	2,519	1,455	2,013	1,098	2,013	2,013	

Payroll: includes 4 Full-time Officers, 1 Sergeant, 1 Police Chief, 1 Part-Time Officer (25%), and 1 Part-time Records Clerk (50%)

07 POLICE	6/30/2017 Actual	6/30/2017 Budget	6/30/2018 Actual	6/30/2018 Budget	3/15/2019 Y-T-D Actual	6/30/2019 Budget	/ / Proposed	ADJUSTMENTS
EXPENDITURES								
5144 Emp Practice Liab Insurance	575	2,050	633	827	376	827	827	
5150 Electricity	1,344	2,484	1,203	1,425	1,040	1,425	1,425	
5151 Natural Gas	89	213	129	200	107	200	200	
5152 Water	817	545	930	878	945	878	878	
5153 Sewer	407	381	587	390	302	390	390	
5162 Medical	525	3,200	905	2,800	5,645	2,800	2,800	
5171 Computer Software	1	500	1,307	1,806	4,253	105,000	15,000	Move RIMS software purchase to special proj
5173 Computer Maintenance - Support	6,712	7,580	6,858	6,901	6,376	6,901	9,500	Increased for internet line upgrade
5174 Web Design Services	126	500	189	500	43	500	500	
5192 Code Enforcement	-	1,000	-	500	2,791	30,500	30,500	
5193 Nuisance Abatement-Vehicle	4,614	5,714	1,882	1,750	-	1,750	1,750	
5212 Gas & Oil	14,519	13,700	13,190	13,225	10,917	13,225	13,225	
5213 Vehicle Repair	6,723	4,000	4,977	4,000	5,268	7,548	7,548	
5308 Dispatch Service Due	24,900	24,900	24,900	24,900	18,675	24,900	47,300	Increased \$17,900 for new contract
Total Expenditures	671,727	706,796	611,992	722,640	369,485	853,920	856,438	

ALLOCATION BY FUND				TOTAL
000	040	044		
GENERAL FUND	SLESF FUND	MEASURE Z		
78%	18%	3%	100%	
671,868	155,877	28,694	856,438	

08 SEWER - PUBLIC WORKS		6/30/2017	6/30/2017	6/30/2018	6/30/2018	3/15/2019	6/30/2019	/ /	ADJUSTMENTS
EXPENDITURES		Actual	Budget	Actual	Budget	Y-T-D Actual	Budget	Proposed	
5000 Full Time Salaries		86,714	92,828	104,524	117,443	84,435	161,669	153,588	
5026 Part Time Temporary Salaries								2,313	
5030 Overtime Salaries		1,704	2,086	3,088	-	4,026	5,156	2,670	
5035 Benefit - ICMA City 457		9,307	9,625	9,854	11,322	8,151	16,915	15,892	
5040 Benefit - Health Insurance		19,611	24,312	23,963	27,972	22,302	53,336	34,025	
5042 Benefit - Life Insurance		291	330	416	432	394	758	580	
5044 Benefit - Dental/Vision Insur		2,882	3,963	3,837	3,872	2,969	7,639	3,655	
5045 Worker Compensation Insurance		19,266	17,876	19,066	17,296	14,482	22,634	21,826	
5050 FICA		7,281	6,787	8,727	8,821	7,203	12,368	13,142	
5055 Unemployment Insurance		1,362	849	1,581	1,071	2,543	1,671	1,463	
5060 Clothing Allowance		1,277	930	1,323	1,125	2,080	1,721	1,610	
5069 Accrued Payroll Taxes Expense		110	-	36	-	(208)	-	-	
5080 Hiring Costs		67	-	1,812	629	569	-	-	
5081 Compensated Absences Payable		1,606	-	(987)	-	-	-	-	
5101 Office Supplies		926	500	1,795	525	584	525	525	
5102 Operating Supplies		2,475	2,000	995	3,300	3,401	3,300	3,300	
5103 Postage		5,766	2,400	4,295	3,700	1,967	3,700	3,700	
5104 Printing - Forms		762	465	1,208	1,900	1,081	1,900	1,900	
5105 Advertising		584	200	83	500	-	500	500	
5106 Promotional					90	93	90	90	
5108 Streets		-	1,000	-	1,000	-	1,000	4,000	Increased \$3,000 for PW repairs
5109 Chemicals		37,423	30,000	32,304	32,675	22,172	32,675	32,675	
5112 Legal		7,653	500	135	500	928	2,500	2,500	
5115 Contract/Professional Services		22,523	29,003	13,358	13,500	6,358	43,500	43,500	Carry over - \$30k Rate analysis
5119 Safety Supplies & Equipment		2,329	1,400	1,268	2,150	2,490	2,150	2,150	
5120 Cell Phones		1,535	1,415	778	1,415	865	1,415	1,415	
5121 Telephone - Pager		2,103	1,025	2,082	2,000	1,847	2,000	2,000	
5122 Training - Conference		764	1,350	4,732	4,668	126	1,350	4,000	Increased \$2,750 for add'l staff
5123 Automobile - Transportation		1,534	500	1,552	1,553	379	500	2,500	Increased \$2,000 for add'l staff
5125 Publications - Books		344	200	222	575	139	575	575	
5126 Dues & Memberships		79	1,000	84	-	82	-	-	
5127 License		2,968	1,000	1,130	800	570	800	800	
5128 Employee Relations		-	50	-	50	-	50	50	
5130 Rents - Leases		2,227	1,968	2,392	2,105	1,659	2,105	2,105	
5131 Records Maintenance		232	40	62	196	26	196	196	
5135 Maintenance - Repair		11,895	20,000	42,701	38,446	14,181	25,000	35,000	Increased \$10,000 General Maint. & Repairs
5138 Office Equipment - P.W.		261	800	1,526	800	132	800	800	
5139 Equipment		9,618	4,500	10,805	8,917	5,027	4,500	6,000	Increased \$1,500 for on-site projects

08 SEWER - PUBLIC WORKS																			
EXPENDITURES		6/30/2017	6/30/2017	6/30/2018	6/30/2018	3/15/2019	6/30/2019	/ /											
		Actual	Budget	Actual	Budget	Y-T-D Actual	Budget												
5141 General Liability Insurance		18,988	9,329	19,082	17,817	11,629	17,817	17,817											
5143 Property Insurance		2,847	1,827	3,580	2,915	2,703	2,915	2,915											
5144 Emp Practice Liab Insurance		1,414	1,680	1,557	1,141	925	1,141	1,141											
5150 Electricity		125,438	133,431	139,986	137,434	102,963	137,434	101,434											
5151 Natural Gas		23,013	23,243	25,566	22,000	17,240	22,000	22,000											Transfer \$36,000 cost to Water Ops.
5152 Water		21,853	29,355	31,322	19,560	14,570	19,560	19,560											
5154 Garbage				-	-	86	-	-											
5162 Medical		613	250	148	490	60	490	490											
5164 Regulatory Fees		9,115	15,000	8,262	8,600	9,609	8,600	8,600											
5165 Property Tax Assessment		2,372	2,242	2,385	2,443	2,456	2,443	2,443											
5171 Property Insurance				1,258	500	9	500	500											
5173 Computer Maintenance - Support		2,606	1,790	2,007	2,805	1,001	2,805	2,805											
5174 Web Design Services		310	175	465	375	106	375	375											
5212 Gas & Oil		4,852	3,002	5,253	4,017	5,234	4,017	4,017											
5213 Vehicle Repair		997	2,500	2,833	2,500	2,446	2,500	2,500											
5215 Public Works - Small Tools		1,997	2,300	1,946	1,250	2,257	1,250	1,250											
5225 Public Works - Lab Testing		34,440	34,440	20,702	16,800	12,035	26,800	26,800											Increase \$1,250 for tools
5227 Public Works - Equip. Repair		46,866	46,866	15,967	15,501	13,633	15,501	15,501											TIE or CTR testing
5229 Public Works - Equip. Rental		540	1,000	1,825	1,500	1,639	1,500	1,500											
5430 Fines/Penalties		-	1,000	-	1,000	-	1,000	1,000											Increase \$2,000 for SSES, SSO, Etc.
5514 Engineering		177	1,000	1,149	13,000	6,668	1,000	1,000											
5520 Improvements		-	1,000	-	1,000	-	1,000	1,000											
Total Expenditures		563,917	572,332	586,040	583,996	420,322	685,646	638,943											050 SEWER OPS FUND 100%

09 WATER - PUBLIC WORKS		6/30/2017	6/30/2017	6/30/2018	6/30/2018	3/15/2019	6/30/2019	/ /	ADJUSTMENTS
EXPENDITURES		Actual	Budget	Actual	Budget	Y-T-D Actual	Budget	Proposed	
5000 Full Time Salaries		67,196	67,613	83,257	109,931	87,704	134,734	134,155	
5026 Part Time Temporary Salaries								2,313	
5030 Overtime Salaries		2,082	3,530	1,792	-	3,284	3,187	1,850	
5035 Benefit - ICMA City 457		6,624	6,870	8,607	10,887	8,914	14,202	14,012	
5040 Benefit - Health Insurance		12,054	15,052	18,388	19,957	20,876	28,893	32,436	
5041 Health Savings		780	360	-	-	-	-	-	
5042 Benefit - Life Insurance		256	233	346	374	283	488	432	
5044 Benefit - Dental/Vision Insur		1,577	2,471	2,316	2,714	2,793	3,959	3,710	
5045 Worker Compensation Insurance		15,204	13,527	15,045	16,252	14,772	18,863	19,106	
5050 FICA		5,875	5,136	7,209	8,288	7,390	10,307	11,512	
5055 Unemployment Insurance		756	702	907	928	1,698	1,195	1,107	
5060 Clothing Allowance		811	728	1,150	975	964	1,221	1,200	
5069 Accrued Payroll Taxes Expense		(15)	-	154	-	(315)	-	-	
5080 Hiring Costs				904	-	421	-	-	
5081 Compensated Absences Payable		2,668	-	(20)	-	-	-	-	
5101 Office Supplies		710	300	1,447	600	519	800	800	
5102 Operating Supplies		1,086	9,000	1,223	3,122	1,101	6,100	6,100	
5103 Postage		3,332	1,800	2,586	3,714	1,444	3,700	3,700	
5104 Printing - Forms		1,121	3,600	1,057	1,900	1,239	1,900	1,900	
5105 Advertising		475	450	83	450	-	450	450	
5106 Promotional				-	-	76	-	-	
5107 Memorial Park Expense				-	-	-	-	-	
5108 Streets		-	2,000	-	2,000	-	2,000	4,000	Increase \$2,000
5109 Chemicals		15,333	23,000	13,626	26,481	11,684	29,300	29,300	
5112 Legal		2,101	10,000	2,822	10,000	2,126	10,000	10,000	
5115 Contract/Professional Services		1,834	40,000	16,377	36,832	1,289	45,000	45,000	Carry over - \$30k rate analysis
5119 Safety Supplies & Equipment		1,088	905	537	1,350	1,037	1,350	1,350	
5120 Cell Phones		1,665	1,050	1,134	1,650	539	1,650	1,860	
5121 Telephone - Pager		1,687	2,134	2,010	2,000	1,799	2,000	2,000	
5122 Training - Conference		6	2,000	982	2,000	994	3,500	7,500	Increase \$4,000 add'l staff
5123 Automobile - Transportation		2	250	547	450	923	450	2,450	Increase \$2,000 add'l staff
5125 Publications - Books		275	100	75	100	701	250	600	Increase \$350 for books
5126 Dues & Memberships		483	1,800	85	900	502	1,900	1,900	
5127 License		60	390	431	380	130	380	2,500	Increase \$2,150 for add'l staff
5128 Employee Relations		-	60	-	60	-	60	60	
5130 Rents - Leases		1,911	2,000	2,399	1,700	1,670	1,700	1,700	
5131 Records Maintenance		193	50	63	200	26	200	200	
5135 Maintenance - Repair		28,754	32,862	33,820	51,340	16,275	58,020	58,020	
5138 Office Equipment - P.W.		396	1,500	362	1,020	132	2,520	2,520	

09 WATER - PUBLIC WORKS		6/30/2017	6/30/2017	6/30/2018	6/30/2018	3/15/2019	6/30/2019	/ /	ADJUSTMENTS
EXPENDITURES		Actual	Budget	Actual	Budget	Y-T-D Actual	Budget	Proposed	
5139 Equipment		8,281	4,000	6,201	5,644	2,284	7,000	7,000	
5141 General Liability Insurance		15,130	9,112	17,174	10,584	12,146	10,584	10,584	
5143 Property Insurance		2,515	1,784	3,222	1,731	2,823	1,731	1,731	
5144 Emp Practice Liab Insurance		1,223	1,531	1,402	678	966	678	678	
5150 Electricity		18,244	18,488	23,650	25,551	22,366	32,551	76,751	Transfer \$36,000 from Sewer Ops
5151 Natural Gas		177	144	254	265	214	265	265	
5152 Water		612	391	-	-	-	-	-	
5153 Sewer		46,577	46,577	38,597	43,700	31,718	43,700	19,560	Decrease \$24,140 (actual est.)
5154 Garbage		-	100	184	100	86	100	100	
5162 Medical		391	300	59	300	-	300	300	
5164 Regulatory Fees		9,955	16,500	8,700	8,000	9,452	8,000	8,000	
5165 Property Tax Assessment		-	-	-	-	-	-	-	
5171 Computer Software		2	450	854	450	9	1,500	1,500	
5173 Computer Maintenance - Support		1,968	750	3,192	2,857	929	3,423	3,423	
5174 Web Design Services		247	180	486	460	110	460	460	
5212 Gas & Oil		3,773	6,000	4,783	6,000	4,665	6,000	6,000	
5213 Vehicle Repair		818	2,200	2,833	2,200	2,076	3,700	3,700	
5215 Public Works - Small Tools		731	2,500	1,477	875	986	875	2,000	
5225 Public Works - Lab Testing		3,881	10,000	3,590	7,500	3,284	11,700	11,700	
5227 Public Works - Equip. Repair		1,356	2,800	3,610	2,800	4,975	5,800	5,800	
5229 Public Works - Equip. Rental		-	250	-	250	71	250	250	
5430 Fines/Penalties		-	-	-	-	-	-	-	
5514 Engineering		802	1,500	15,343	15,500	2,822	1,500	1,500	
5520 Improvements		-	1,000	-	-	-	-	-	
Total Expenditures		295,063	378,030	357,332	454,000	294,972	530,396	567,044	060 WATER OPS FUND 100%

ALLOCATION BY FUND				TOTAL	
050	063	064			
WATER FUND	METROL WELL FUND	DINSMORE ZONE FUND			
98%	2%	0%		100%	
553,144	11,300	2,600		567,044	

10 PLANNING		6/30/2017	6/30/2017	6/30/2018	6/30/2018	3/15/2019	6/30/2019	/ /		ADJUSTMENTS	
EXPENDITURES		Actual	Budget	Actual	Budget	V-T-D Actual	Budget	Proposed			
5000 Full Time Salaries		39,394	41,661	43,485	43,840	23,003	33,669	37,271	-		
5026 Part Time Temporary Salaries		-	-	-	-	55	-	-	-		
5030 Overtime Salaries		-	-	-	-	2,639	4,489	4,229	-		
5035 Benefit - ICMA City 457		4,454	4,547	5,061	5,868	2,427	3,673	4,628	-		
5040 Benefit - Health Insurance		3,743	3,773	4,480	4,483	-	-	-	-		
5041 Health Savings		360	240	-	-	97	61	99	-		
5042 Benefit - Life Insurance		163	154	177	82	252	320	-	-		
5044 Benefit - Dental/Vision Insur		323	325	412	400	714	673	7,400	-		
5045 Worker Compensation Insurance		1,694	527	1,308	658	2,049	2,576	3,175	-		
5050 FICA		3,465	3,046	3,799	3,354	218	238	239	-		
5055 Unemployment Insurance		260	260	282	309	-	-	-	-		
5060 Clothing Allowance		-	-	-	-	-	-	-	-		
5069 Accrued Payroll Taxes Expense		48	-	26	-	(136)	-	-	-		
5101 Office Supplies		339	297	220	485	81	485	485	-		
5102 Operating Supplies		21	150	14	150	31	150	150	-		
5103 Postage		396	300	396	395	101	395	395	-		
5104 Printing - Forms		1,800	1,631	1,102	2,200	615	2,200	2,200	-		
5106 Promotional		-	-	-	50	4	50	50	-		
5112 Legal		687	1,000	2,038	1,200	725	1,200	1,200	-		
5115 Contract/Professional Services		2,418	2,715	346	300	16	300	300	-		
5120 Cell Phones		562	490	597	875	504	875	700	-		
5121 Telephone - Pager		22	43	30	120	15	120	120	-		
5122 Training - Conference		-	750	622	1,272	-	750	750	-		
5123 Automobile - Transportation		-	1,250	112	1,250	9	1,250	1,250	-		
5125 Publications - Books		1,222	100	3	100	4	250	250	-		
5126 Dues & Memberships		150	350	403	350	53	350	350	-		
5128 Employee Relations		-	25	-	25	-	25	25	-		
5130 Rents - Leases		444	595	444	595	298	595	595	-		
5131 Records Maintenance		99	100	78	105	52	105	105	-		
5135 Maintenance - Repair		133	300	163	300	18	300	300	-		
5138 Office Equipment		289	1,400	-	500	-	1,100	1,100	-		
5139 Equipment		6	-	-	-	-	-	-	-		
5141 General Liability Insurance		844	1,447	848	1,454	517	1,454	1,454	-		
5143 Property Insurance		127	251	159	238	120	238	238	-		
5144 Emp Practice Liab Insurance		63	348	69	93	41	93	93	-		
5150 Electricity		124	353	104	300	92	300	300	-		
5151 Natural Gas		10	34	14	34	12	34	34	-		
5152 Water		89	66	102	97	103	97	97	-		
5153 Sewer		44	52	64	87	33	87	87	-		

10 PLANNING	6/30/2017 Actual	6/30/2017 Budget	6/30/2018 Actual	6/30/2018 Budget	3/15/2019 Y-T-D Actual	6/30/2019 Budget	/ / Proposed	ADJUSTMENTS
EXPENDITURES								
5164 Regulatory Fees	-	2,000	-	2,000	-	2,000	2,000	
5171 Computer Software	-	200	41	200	-	200	200	
5173 Computer Maintenance - Support	1,051	1,125	967	1,193	764	1,193	1,193	
5174 Web Design Services	14	400	21	350	5	350	350	
5610 Bad Debt	-	-	-	-	2,265	-	-	
Total Expenditures	64,858	72,305	67,987	75,312	37,796	62,245	73,410	000 GENERAL FUND 100%

11 BUILDING		6/30/2017	6/30/2017	6/30/2018	6/30/2018	3/15/2019	6/30/2019	Proposed	ADJUSTMENTS
EXPENDITURES		Actual	Budget	Actual	Budget	Y-T-D Actual	Budget	/ /	
5000 Full Time Salaries		32,780	33,785	36,770	36,825	20,698	30,162	42,611	Payroll Allocation Differentiation
5026 Part Time Temporary Salaries		-	-	-	-	52	-	-	
5030 Overtime Salaries		-	-	-	-	-	-	-	
5035 Benefit - ICMA City 457		3,676	3,762	4,249	4,841	2,362	3,976	4,834	
5040 Benefit - Health Insurance		3,412	3,448	4,159	4,158	2,318	3,510	2,793	
5041 Health Savings		300	180	-	-	-	-	-	
5042 Benefit - Life Insurance		134	125	150	79	87	60	108	
5044 Benefit - Dental/Vision Insur		319	325	412	400	252	320	-	
5045 Worker Compensation Insurance		1,304	436	984	552	647	603	8,460	
5050 FICA		2,858	2,522	3,188	2,817	1,838	2,307	3,630	
5055 Unemployment Insurance		217	217	239	262	196	214	260	
5060 Clothing Allowance		-	-	-	-	-	-	-	
5069 Accrued Payroll Taxes Expense		58	-	3	-	(112)	-	-	
5101 Office Supplies		340	347	301	347	94	347	347	
5102 Operating Supplies		19	200	13	95	29	95	95	
5103 Postage		47	40	249	75	154	75	75	
5104 Printing - Forms		449	140	652	136	309	136	136	
5106 Promotional		-	-	-	30	3	30	30	
5112 Legal		-	500	87	500	-	500	500	
5115 Contract/Professional Services		553	2,000	335	2,000	3,029	2,000	2,000	
5120 Cell Phones		421	210	458	475	453	475	350	
5121 Telephone - Pager		21	70	28	55	14	55	55	
5122 Training - Conference		1,259	3,000	323	3,000	334	3,000	3,000	
5123 Automobile - Transportation		300	1,000	532	1,000	273	1,000	1,000	
5125 Publications - Books		2	500	3	500	4	500	1,500	
5126 Dues & Memberships		280	250	303	295	53	295	295	
5128 Employee Relations		-	25	-	25	-	25	25	
5130 Rents - Leases		433	630	438	585	293	585	585	
5131 Records Maintenance		190	115	155	187	103	187	187	
5135 Maintenance - Repair		129	400	158	400	17	400	400	
5138 Office Equipment		250	1,200	-	500	-	1,000	1,000	
5139 Equipment		6	-	-	-	-	-	-	
5141 General Liability Insurance		784	989	788	1,454	480	1,454	1,454	
5143 Property Insurance		117	239	148	238	112	238	238	
5144 Emp Practice Liab Insurance		58	285	64	93	38	93	93	
5150 Electricity		115	351	96	185	86	185	185	
5151 Natural Gas		9	26	13	25	11	25	25	
5152 Water		178	107	97	205	87	205	205	
5153 Sewer		89	82	60	105	28	105	105	

11 BUILDING	6/30/2017	6/30/2017	6/30/2018	6/30/2018	3/15/2019	6/30/2019	/	ADJUSTMENTS
EXPENDITURES	Actual	Budget	Actual	Budget	Y-T-D Actual	Budget	Proposed	
5164 Regulatory Fees	79	250	379	220	358	220	220	
5167 Seismic Fees	73	200	24	165	-	165	165	
5171 Computer Software	-	100	39	100	-	100	100	
5173 Computer Maintenance - Support	73	210	74	84	35	84	84	
5174 Web Design Services	13	200	19	200	4	200	200	
Total Expenditures	51,345	58,466	55,990	63,213	34,739	54,931	77,350	008 BUILDING FUND 100%

12 CITY COUNCIL		6/30/2017	6/30/2017	6/30/2018	6/30/2018	3/15/2019	6/30/2019	/ /		ADJUSTMENTS	
EXPENDITURES		Actual	Budget	Actual	Budget	Y-T-D Actual	Budget	Proposed			
5101 Office Supplies		72	40	196	95	83	96	96			
5102 Operating Supplies		25	-	31	20	49	20	20			
5103 Postage		33	112	6	45	12	46	46			
5104 Printing - Forms		26	835	195	27	145	27	27			
5106 Promotional		22	2,550	1,661	3,200	2,766	1,700	1,700			
5112 Legal		5,838	5,563	5,265	4,000	4,967	4,000	4,000			
5115 Contract/Professional Services		2,460	1,599	-	750	-	751	751			
5122 Training - Conference		874	3,000	4,263	4,750	3,307	6,251	6,251			
5123 Automobile - Transportation		971	2,000	750	1,100	1,103	1,100	1,100			
5126 Dues & Memberships		2,439	2,752	-	2,752	-	2,753	2,753			
5138 Office Equipment		-	-	326	-	-	-	-			
5141 General Liability Insurance		-	-	-	642	-	643	643			
5143 Property Insurance		-	-	-	99	-	100	100			
5173 Computer Maintenance - Support		-	600	-	200	-	9,800	9,800			
5174 Web Design Services		-	98	-	250	95	251	251			
5900 RDED and Library Water/Sewer		4,761	4,667	4,780	5,900	2,878	5,900	5,900			
Total Expenditures		17,521	23,816	17,473	23,830	15,405	33,438	33,438			

ALLOCATION BY FUND						TOTAL
000	020	024	050	060		
GENERAL FUND	GAS TAX FUND	TDA FUND	SEWER FUND	WATER FUND		
35%	3%	2%	30%	30%	100%	
9,638	826	551	8,261	8,261	33,438	
5,900						
15,538	826	551	8,261	8,261	33,438	

18 STREETS - PUBLIC WORKS		6/30/2017	6/30/2017	6/30/2018	6/30/2018	3/15/2019	6/30/2019	/ /	ADJUSTMENTS
EXPENDITURES	Actual	Budget	Actual	Budget	Y-T-D Actual	Budget	Proposed		
5000 Full Time Salaries	28,583	45,158	35,555	60,570	29,704	50,937	43,634		
5026 Part Time Temporary Salaries							4,627		
5030 Overtime Salaries	394	1,579	237	-	193	1,961	1,880		
5035 Benefit - ICMA City 457	2,539	3,073	3,273	5,661	2,542	4,969	4,219		
5040 Benefit - Health Insurance	5,757	6,734	7,295	15,422	12,793	12,973	16,000		
5041 Health Savings	504	84					-		
5042 Benefit - Life Insurance	128	104	136	278	154	235	194		
5044 Benefit - Dental/Vision Insur	867	1,106	923	2,158	1,588	1,753	1,795		
5045 Worker Compensation Insurance	6,926	6,051	6,600	9,359	4,957	7,131	6,757		
5050 FICA	2,540	2,298	2,980	4,774	2,306	3,897	4,015		
5055 Unemployment Insurance	459	314	750	689	765	695	599		
5060 Clothing Allowance	167	325	148	724	165	274	540		
5069 Accrued Payroll Taxes Expense	52	-	(10)	-	(126)	-	-		
5080 Hiring Costs			237	-	8	-	-		
5081 Compensated Absences Payable			(1,178)	-	-	-	-		
5101 Office Supplies	139	300	51	300	13	300	300		
5102 Operating Supplies	217	1,200	423	1,200	417	1,200	1,200		
5103 Postage	18	20	43	20	-	19	19		
5104 Printing - Forms	59	160	11	160	-	160	160		
5105 Advertising	57	188	23	188	-	188	188		
5108 Streets	12,162	18,000	11,868	18,000	8,776	18,000	18,000		
5109 Chemicals	209	-							
5112 Legal	421	1,200	-	850	116	850	850		
5115 Contract/Professional Services	48,228	48,365	50,967	48,365	29,705	50,910	51,876		
5119 Safety Supplies & Equipment	347	805	197	805	250	805	805		
5120 Cell Phones	271	-	1,134	-	632	-	528		
5121 Telephone - Pager	509	2,350	413	1,700	593	1,700	1,700		
5122 Training - Conference	-	250	35	250	-	250	250		
5123 Automobile - Transportation	42	150	47	150	29	150	150		
5125 Publications - Books	15	10	-	10	-	10	10		
5126 Dues & Memberships	19	100	19	100	18	100	100		
5130 Rents - Leases	528	780	11	780	-	781	781		
5131 Records Maintenance	49	40	11	80	7	81	81		
5135 Maintenance - Repair	4,333	6,300	2,591	6,300	2,826	6,300	6,300		
5138 Office Equipment - P.W.	64	130	25	130	36	131	131		
5139 Equipment	195	1,200	47	1,200	2,005	1,200	1,200		
5141 General Liability Insurance	4,702	3,255	2,756	6,241	-	6,241	6,241		
5143 Property Insurance	705	637	517	1,021	-	1,021	1,021		
5144 Emp Practice Liab Insurance	350	685	225	400	-	400	400		

18 STREETS - PUBLIC WORKS		6/30/2017	6/30/2017	6/30/2018	6/30/2018	3/15/2019	6/30/2019	/ /	ADJUSTMENTS
EXPENDITURES		Actual	Budget	Actual	Budget	Y-T-D Actual	Budget	Proposed	
5150 Electricity		21,630	26,666	22,317	27,180	17,014	24,500	24,500	
5151 Natural Gas		52	126	77	126	62	126	126	
5152 Water		7,980	4,223	7,832	8,097	4,790	7,200	7,200	
5154 Garbage				-	-	246	-	-	
5162 Medical		26	30	16	60	-	60	60	
5164 Regulatory Fees		661	90	408	90	247	90	90	
5171 Property Insurance		1	75	-	75	2	76	76	
5173 Computer Maintenance - Support		210	415	-	415	-	414	414	
5174 Web Design Services		77	75	-	125	-	126	126	
5212 Gas & Oil		1,161	4,350	1,356	4,350	1,309	4,350	4,350	
5213 Vehicle Repair		213	1,800	773	1,800	566	1,800	1,800	
5215 Public Works - Small Tools		158	780	388	780	63	781	2,200	Increase \$1,419
5217 License		-	10	-	10	-	10	10	
5227 Public Works - Equip. Repair		1,963	1,510	922	1,755	535	1,755	1,755	
5229 Public Works - Equip. Rental				43	-	-	-	-	
5514 Engineering		2,126	5,004	4,200	5,704	1,993	5,705	5,705	
Total Expenditures		158,813	198,105	166,692	238,452	127,299	222,615	224,963	

ALLOCATION BY FUND					TOTAL
020	024	026	021		
GAS TAX	TDA	RSTP	SB1		
FUND	FUND	FUND	FUND		
15%	40%	14%	32%		100%
25,098	121,111	24,232	54,522		224,963

19 BUILDINGS AND GROUNDS		6/30/2017	6/30/2017	6/30/2018	6/30/2018	3/15/2019	6/30/2019	/ /	ADJUSTMENTS
EXPENDITURES		Actual	Budget	Actual	Budget	Y-T-D Actual	Budget	Proposed	
5000 Full Time Salaries		22,493	18,742	25,949	14,728	20,831	45,336	48,005	
5026 Part Time Temporary Salaries								6,169	
5030 Overtime Salaries		8	1,040	-	-	184	1,906	2,600	
5035 Benefit - ICMA City 457		1,803	2,025	2,174	1,210	1,744	4,068	4,476	
5040 Benefit - Health Insurance		3,148	4,439	2,807	3,820	10,195	12,499	19,566	
5041 Health Savings		276	37	-	-	-	-	-	
5042 Benefit - Life Insurance		69	68	65	71	144	230	234	
5044 Benefit - Dental/Vision Insur		472	728	512	541	1,400	1,723	2,164	
5045 Worker Compensation Insurance		4,955	3,985	4,397	2,132	3,562	6,348	7,584	
5050 FICA		1,862	1,515	2,146	1,087	1,610	3,468	4,487	
5055 Unemployment Insurance		287	205	495	177	604	723	738	
5060 Clothing Allowance		-	215	-	185	-	287	650	
5069 Accrued Payroll Taxes Expense		37	-	(47)	-	(34)	-	-	
5080 Hiring Costs		-	-	56	-	-	-	-	
5081 Compensated Absences Payable		240	-	9	-	-	-	-	
5101 Office Supplies		36	108	46	-	21	-	-	
5102 Operating Supplies		50	365	41	-	25	-	-	
5103 Postage		6	17	3	17	-	17	17	
5104 Printing - Forms		19	68	27	40	27	40	40	
5106 Promotional		15	32	-	32	4	33	33	
5107 Memorial Park Expense		-	1,100	92	1,100	392	1,100	1,100	
5109 Chemicals		197	-	-	80	-	80	80	
5112 Legal		-	-	-	100	-	100	100	
5115 Contract/Professional Services		4	-	627	-	17	-	-	
5119 Safety Supplies & Equipment		-	155	-	155	-	156	156	
5120 Cell Phones		154	1,100	756	197	408	197	515	
5121 Telephone - Pager		24	122	36	47	180	46	46	
5122 Training - Conference		-	-	-	10	-	10	10	
5123 Automobile - Transportation		-	-	-	15	-	15	15	
5125 Publications - Books		3	12	3	12	4	12	12	
5126 Dues & Memberships		-	5	1	-	1	-	-	
5130 Rents - Leases		117	423	261	157	176	157	157	
5131 Records Maintenance		9	5	1	18	-	17	17	
5135 Maintenance - Repair		1,487	1,557	8,105	6,552	1,365	3,651	3,651	
5136 Parks Maintenance - Repair		27	2,023	-	2,023	289	2,023	2,023	
5139 Equipment		7	800	-	800	-	800	800	
5141 General Liability Insurance		904	2,632	909	1,450	554	1,451	1,451	
5143 Property Insurance		136	515	170	586	129	587	587	
5144 Emp Practice Liab Insurance		67	455	74	229	44	230	230	

19 BUILDINGS AND GROUNDS EXPENDITURES	6/30/2017	6/30/2017	6/30/2018	6/30/2018	3/15/2019	6/30/2019	/ / Proposed	ADJUSTMENTS
	Actual	Budget	Actual	Budget	Y-T-D Actual	Budget		
5150 Electricity	499	965	425	1,110	932	1,110		
5151 Natural Gas	10	43	15	40	13	40		
5152 Water	1,072	1,072	7,280	1,072	4,788	1,072		
5171 Computer Software	-	-	44	-	-	-		
5173 Computer Maintenance - Support	73	183	85	69	40	69		
5174 Web Design Services	15	295	22	295	5	296		
5212 Gas & Oil	-	500	-	500	-	500		
5215 Public Works - Small Tools	-	183	24	150	-	151		
5227 Public Works - Equip. Repair	1,638	800	32	800	-	800		
5229 Public Works - Equip. Rental	-	500	-	500	-	500		
Total Expenditures	42,219	49,034	57,642	42,107	49,654	91,848	112,251	

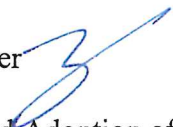
ALLOCATION BY FUND						TOTAL
000 GENERAL FUND	020 GAS TAX FUND	024 TDA FUND	050 SEWER FUND	060 WATER FUND		
30%	7%	3%	30%	30%	100%	
33,675	7,858	3,368	33,675	33,675	112,251	

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June 4, 2019

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager 

SUBJECT: Conduct First Reading and Adoption of Ordinance No. 376-2019 Amending Section 8.10 of the Rio Dell Municipal Code Creating the Nuisance Advisory Committee and Replacing the Nuisance Hearing Committee with e Nuisance Hearing Officer

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Have staff introduce and conduct the second reading of Ordinance No. 376-2019 related to nuisances.
2. Open the public hearing, receive public input and deliberate.
3. Provide direction to staff, if any.
4. Continue the hearing of Ordinance No. 376-2019 to the next regularly scheduled meeting of the Rio Dell City Council.

BACKGROUND AND DISCUSSION

On April 16, 2019 the City Council of the City of Rio Dell identified Code Enforcement as its top priority for FY 2019-2020. The City Council of the City of Rio Dell met on May 7, 2019 to provide direction to staff on the nuisance process. During this meeting the Council gave direction to staff to return with language to create a neighborhood preservation committee or a nuisance advisory committee. The Chief of Police has drafted language for the Council's consideration.

Committee composition:

- Two members of the City Council
- Chief of Police
- City Manager
- Economic Development Director
- Two members of the public

Additionally, the Chief of Police is recommending that the current Nuisance Hearing Committee be dissolved and that all hearings be covered by a newly created Nuisance Hearing Officer, who

would be a third party. Concern arose about having a hearing committee that was also composed of members of the City Council and/or staff who are also in charge of ultimately overseeing or enforcing code in the City. If approved, the City will begin the process to select a third party Hearing Officer.

///

ORDINANCE NO. 376-2019



**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL
AMENDING THE CURRENT NUISANCE REGULATIONS, CHAPTER 8.10
OF THE CITY OF RIO DELL MUNICIPAL CODE
TO CREATE A NUISANCE ADVISORY COMMITTEE AND TO REPLACE
THE NUISANCE HEARING COMMITTEE WITH THE NUISANCE HEARING OFFICER**

THE CITY COUNCIL OF THE CITY OF RIO DELL ORDAINS AS FOLLOWS:

Chapter 8.10

NUISANCES

Article 1. Nuisances Generally

8.10.010. Application.

The provisions of this chapter shall apply to all property throughout the City of Rio Dell wherein any of the conditions, hereinafter specified, are found to exist; provided, however, that any condition which would constitute a violation of this chapter, but which is duly authorized under any other City, state or federal law, shall not be deemed to violate this chapter.

8.10.020. Definitions.

For the purposes of this chapter, the following words shall have the specified meanings:

(A) Blight. For purposes of this Code, visual blight is any unreasonable, non permitted or unlawful condition or use of real property, Premises or of building exteriors which by reason of its appearance as viewed from the public right-of-way, *is detrimental to the property of others*

or to the value of property of others, offensive to the senses, or reduces the aesthetic appearance of the neighborhood. Visual blight includes, but is not limited to, the keeping, storing, depositing, scattering over or accumulation on the Premises any of the following:

- (1) Lumber, junk, trash, debris, scrap metal, rubbish, packing materials, building materials, and the growth of tall grass and weeds.
- (2) Abandoned, discarded or unused objects or equipment such as furniture, stoves, appliances, refrigerators, freezers, cans or containers, automotive parts and equipment.
- (3) Abandoned, wrecked, disabled, dismantled or inoperative vehicles or parts thereof except inoperative vehicles that are not abandoned and are in an active state of renovation or restoration. For purposes of this article, "active state of renovation or restoration" means that the vehicle is actively being restored or renovated in a manner intended to make the vehicle operational, and shall not include restoration or renovation that solely improves the interior or exterior appearance, but not the operation, of the vehicle. A vehicle shall only be permitted to be in an active state of renovation or restoration for a period that shall not exceed ninety days, whether consecutive or non-consecutive, out of any twelve-month period.
- (4) Stagnant water or excavations.
- (5) Any personal property, object, device, decoration, design, fence, structure, clothesline, landscaping or vegetation which is unsightly by reason of its condition or its inappropriate location.
- (6) Vehicles parked on any surface other than an "improved surface" or "driveway" as those terms are defined.
- (7) Any condition of a building or structure deemed to be unsafe or that in the discretion of the City Manager or his/her designee, or the Department Head, would constitute a threat to public safety, health, or welfare, or poses a security problem by reason of dilapidation, fire hazard, disaster, damage or other similar occurrence specified in this Code or any other applicable law.
- (8) Any condition of a building or portion thereof which constitutes a substandard building, as defined in Health and Safety Code Section 17920.3 or its successor.
- (9) Filling of any swimming pool with water prior to the final safety inspection required by the California Code of Regulations, conducted by City inspectors and before such final inspection has been noted on the permit card obtained from the City.

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(L) Inoperative vehicle. Any vehicle which cannot be legally operated on the street because of lack of current registration or, lack of an engine, transmission, wheels, tires, windshield or any other part or equipment necessary to operate on public streets and/or highways.

(M) Junk. Any cast-off, damaged, discarded, junked, obsolete, salvage, scrapped, unusable, worn-out or wrecked object, thing or material, including but not limited to those composed in whole or in part of asphalt, brick, carbon, cement, plastic or other synthetic substance, fiber, glass, plaster, plaster of paris, rubber, terra cotta, wool, cotton, cloth, canvas, wood, metal, sand, organic matter or other substance.

(N) Junkyard. Any Premises on which any junk is abandoned, bailed, bartered, bought, brought, bundled, deposited, disassembled, disposed of, exchanged, handled, kept, stored or transported, regardless of whether or not such activity is done for profit.

(O) Notice and Order. A Notice and Order is legal notice which details structural or technical Code violations such as illegal construction, conversions, alterations, illegal plumbing, mechanical or electrical installations, dangerous buildings, substandard housing or similar.

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(A) Any condition recognized in law or equity as constituting a public nuisance including, without limitation, any condition on or use of property which would constitute a nuisance as defined in California Penal Code Sections 370, 371 and/or 11225;

(B) Any dangerous, unsightly, or blighted condition that is detrimental to the health, safety or welfare of the public;

(C) Any condition that is in violation of any duly enacted ordinance of the Rio Dell Municipal Code, or resolution or lawful order promulgated by authorized City officials;

(D) Any condition in violation of Chapters 8, 15, and 17 of this Code, including any condition in violation of any written design finding, including design standard, design guideline, or development standard that may be adopted by resolution or ordinance from time to time by the City Council or the planning commission, or any condition imposed on any entitlement, permit, contract, or environmental document issued or approved by the City;

(E) Any condition in violation of Chapter 8.25 of this Code entitled "Premises Used for Drug Related Activity."

(F) Anything defined as a nuisance pursuant to state and federal law including but not limited to California Civil Code Section 3479 et seq.;

(G) Any condition in violation of the weed and rubbish abatement laws defined at Government Code Sections 39501 et seq. and 39560 et seq. as enacted or hereafter amended and enforced by City ordinance and resolutions;

(H) Any vacant, unoccupied or abandoned building or structure that is not reasonably secured against uninvited entry or that constitutes a fire hazard, or is in a state of unsightly or dangerous condition so as to constitute a blighted condition detrimental to property values in the neighborhood or otherwise detrimental to the health, safety and welfare of the public;

(I) Any condition that constitutes an attractive nuisance; those objects or conditions that, by their nature may attract children or other curious individuals including, but not limited to, unprotected hazardous or unfilled pools, ponds, including pools or ponds that have not been properly barricaded, ice boxes, refrigerators or excavations;

(J) Any condition that constitutes a visual Blight.

8.10.040. Responsibility for Property Maintenance.

(A) Every owner of real property within the City is required to maintain such property in a manner so as not to violate the provisions of this chapter and such owner remains liable for violations thereof regardless of any contract or agreement with any third party regarding such property.

(B) Every occupant, lessee, tenant or holder of any interest in property, other than as owner thereof, is required to maintain such property in the same manner as is required of the owner thereof, and the duty imposed on the owner thereof shall in no instance relieve those persons referred to from the similar duty.

...

8.10.270 Appeal Hearing—Administrative Citations & Notice and Order.

(A) Payment of Appeal Fee. Any person, corporation, or entity seeking to appeal an Administrative Citation shall submit an advance deposit of the fine(s). No appeal request is valid unless accompanied by the advance deposit of the fine(s) or a City hardship. If it is determined that the Administrative Citation was not warranted or the responsibility of the citant(s) the advance deposit of the fine shall be returned.

Any person, corporation, or entity seeking to appeal a Notice and Order shall be required to pay to the City, at the time the appeal is requested (within twenty-one (21) days from the date of the Notice and Order), a nonrefundable appeal fee to be set by resolution of the City Council. The appeal fee is intended to cover the costs, expenses, and City employees' time incurred by the City in processing, preparing for, and hearing of the appeal. No appeal request is valid unless accompanied by the appeal fee or a City hardship waiver is granted.

(1) **Hardship Waiver.** The appealing party shall complete and request a waiver on a form provided by the City. If the appealing party establishes to the satisfaction of the City Manager or designee, by means of tax returns, pay stubs or other similar documentary evidence, and submits a declaration under penalty of perjury that paying the appeal fee or the advance deposit of an administrative citation fine would cause undue financial hardship to the appealing party the City Manager may grant a waiver of the appeal fee or the advance deposit of any fine(s). The City Manager's determination is not appealable and shall be final as to the hardship waiver request. If the City determines not to approve a request for a waiver, the appealing party must remit the appeal fee or advance deposit to the City within ten (10) days of the date of that decision or thirty (30) days from the date of the administrative citation, whichever is later. If you do not do so you will not be entitled to a hearing.

(B) Hearing Officer. The appeal shall be heard by a hearing officer who has a contract with the City to perform such a role. He or she shall be an attorney in good standing or otherwise capable of conducting the hearing.

(C) Setting Appeal Hearing. The appeal hearing shall be set by the City Manager or his or her designee, and notice of the appeal hearing shall be sent to the appellant by first class mail at the address provided with the written appeal request. The appeal hearing shall be set for a date no sooner than fifteen (15) days and not more than 30 days following a request for an appeal hearing. Notice of the appeal hearing shall be mailed at least ten (10) days before the date set for hearing.

(D) Conduct of Appeal Hearing.

(1) **Testimony at the Hearing.** At the time set for the appeal hearing, the Hearing Officer shall proceed to hear testimony from the representative of the City, the appellant, and

any other competent persons with respect to the determination of a violation and nuisance or the imposition of an administrative penalty.

(2) Record of Oral Evidence at Hearing. The proceedings at the hearing shall be reported by a tape recording, or video recording. Either party may provide a certified shorthand reporter to maintain a record of the proceedings at the requesting party's own expense.

(3) Continuances. The Hearing Officer may, upon request of the person, corporation, or entity against whom a penalty is to be imposed, or upon request of the City, grant continuances from time to time for extreme or unusual cause shown, or upon the Hearing Officer's own motion.

(4) Oaths; Certification. The Hearing Officer shall administer the oath or affirmation.

(5) Evidence Rules. Government Code Section 11513, subsections (a), (b), and (c) shall apply to all administrative hearings. At the Hearing Officer's sole discretion, other relevant evidence may be admissible and hearsay evidence may be used for the purpose of supplementing and explaining other evidence.

(6) Burden of Proof. The accuracy of an Administrative Citation and the accuracy of a Notice and Order containing the description of the violations and/or public nuisance and the actions required to abate such nuisance or violation is deemed a rebuttable presumption and the burden is on the appellant to provide such facts and information to overcome such presumption by a preponderance of the evidence.

(7) Rights of Parties.

(a) Each party shall have the following rights among others:

(i) To call and examine witnesses on any matter relevant to the issues of the hearing;

(ii) To introduce documentary and physical evidence;

(iii) To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;

(iv) To impeach any witness regardless of which party first called that witness to testify;

(v) To rebut the evidence against him or her;

(vi) To represent himself or herself or to be represented by anyone of his or her choice.

(b) If a party does not proficiently speak or understand the English language, that party may provide an interpreter, at that party's own cost, to translate for the party. An interpreter shall not have been a resident of the Premises or have had any personal relationship with or involvement in the parties or issues of the case prior to the hearing.

(8) Official Notice. In reaching a decision, the Hearing Officer may take official notice, either before or after submission of the case for decision, of any fact which may be judicially noticed by the courts of this state or which may appear in any of the official records of the City or county, or any of their departments.

(9) Inspection of the Premises.

(a) The hearing officer may inspect the Premises involved in the hearing prior to, during, or after the hearing, provided that:

(i) Notice of such inspection shall be given to the parties before the inspection is made;

(ii) The parties consent and are given an opportunity to be present during the inspection; and

(iii) The hearing officer shall state for the record during the hearing, or file a written statement after the hearing for inclusion in the hearing record, upon completion of the inspection, the material facts observed and the conclusions drawn there from.

(b) Each party shall then have a right to rebut or explain the matters so stated by the hearing officer either for the record during the hearing or by filing a written statement after the hearing for inclusion in the hearing record.

(c) Notice to the parties or the owner(s)' consent to inspect the building and surrounding properties is not required if the property can be inspected from areas in which the general public has access or with permission of the other persons authorized to provide access to the property on which the building is located.

(E) Form and Contents of the Decision; Finality of Decision.

(1) Format of the Hearing Officer's Decision. The Hearing Officer shall issue a written decision containing findings of fact and a determination of the issues presented. The

Hearing Officer may affirm, modify or reverse the Administrative Citation, Notice of Violation or the Notice and Order imposed by the City or find that the imposition of the penalty is not warranted or is not in the interest of justice.

(2) Contents of the Hearing Officer's Decision. If it is shown by a preponderance of all the evidence that the condition of the Premises constitutes a violation of the Rio Dell Municipal Code or is a public nuisance as defined in this chapter, the decision shall declare the Premises to be a public nuisance and shall order and require the appellant to abate the nuisance not later than ten (10) calendar days after the issuance of the decision or, if ten (10) calendar days is insufficient to abate the nuisance, within such other time as specified by the Hearing Officer not to exceed sixty (60) days. The decision shall inform the appellant that if the nuisance is not abated within the time specified, the nuisance may be abated by the City in such manner as may be ordered by the Department Head and the expense thereof made a special assessment lien upon the property involved. This is in addition to any other legal remedies that the City may choose to compel compliance.

(3) Service of the Hearing Officer's Decision. Upon issuance of the decision, the City shall serve a copy on the appellant by first class mail to the address provided by appellant in the written notice of appeal. The Hearing-Officer's decision shall be deemed served three days after the date it is mailed to the address provided by the appellant.

(4) Finality of the Hearing Officer's Decision. The decision of the Hearing Officer on an appeal of an Administrative Citation, Notice of Violation and or a Notice and Order shall constitute the final administrative decision of the City and shall not be appealable to the City Council or any committee or commission of the City.

Article 6. Enforcement of Hearing Committee Order

8.10.280. Generally

After any Administrative Citation and/or Notice of Violation or any decision of a Hearing Officer made pursuant to this chapter has become final, no person to whom any such order is directed shall fail, neglect or refuse to obey such order.

8.10.290. Failure to Obey Order—Abatement by City.

(A) If, after any notice of violation or any order of a the Hearing Officer made pursuant to this chapter has become final, the person to whom such order is directed shall fail, neglect or refuse to obey such order, the Department Head is authorized and directed to cause the nuisance to be abated by City personnel or private contract. In furtherance of this section, the Department Head shall obtain a warrant, if required, and thereafter is expressly authorized to enter upon the Premises for the purpose of abating the nuisance.

(B) Additionally, any person who fails to obey such order shall be guilty of a misdemeanor punishable as specified in Section 8.10.070(a)(2) of this chapter.

8.10.300. Interference with Work Prohibited.

No person shall obstruct, impede or interfere with any officer, employee, contractor or authorized representative of the City, or with any person who owns or holds any estate or interest in any Premises on which a nuisance exists and which must be abated under the provisions of this chapter, whenever such officer, employee, contractor or authorized representative of the City, or person having an interest or estate in such Premises is engaged in the work of abating any nuisance as required by the provisions of this chapter, or in performing any necessary act preliminary to or incidental to such work authorized or directed pursuant to this chapter.

8.10.310. Costs of Abatement.

(A) The Department Head shall keep an account of the costs and expenses of abating such nuisance, and the City shall render a statement of such costs to the person or persons receiving the notice to abate.

(B) Such person or persons receiving the notice of violation or decision of the hearing officer shall be liable to the City for any and all costs and expenses to the City involved in abating the nuisance. Such costs and expenses are due upon receipt of the statement required in subsection (A) of this section.

(C) Costs and expenses as referred to in this section shall include all costs allowed to be recovered by law, including attorneys' fees as allowed by Government Code Section 38773.5 or its successor.

8.10.320. Procedure for Assessing Costs.

If the person liable to pay the costs of abatement fails to do so within thirty calendar days of receiving the statement of such costs, the City may initiate proceedings to have such costs assessed against the real property or Premises on which the City abated the nuisance. Such proceedings and notice of such proceedings shall be performed in accordance with Section 54954.6 of the California Government Code. The costs of abatement shall be treated as a new assessment for purposes of Section 54954.6. No majority protest rights exist for this assessment. The Department Head shall present to the City Council a report of costs for abating the nuisance at the public meeting required by Section 54954.6.

8.10.330. Assessment of Costs—Special Assessment Lien Against Property.

(A) The total cost for abating a nuisance shall constitute a special assessment against the Premises to which it relates, and upon recordation in the office of the county recorder of a

notice of lien, shall constitute a lien on the property for the amount of such assessment. The procedure for collecting abatement costs through a special assessment lien shall be in accordance with California Government Code Section 38773.5.

(B) After such recordation, a copy of the lien shall be turned over to the county assessor, who shall then enter the amount of the lien on the assessment rolls as a special assessment. Thereafter, said amount shall be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and the same procedure under foreclosure and sale in case of delinquency as provided by Government Code Section 38773.5 and as provided for ordinary municipal taxes.

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Chapter 8.10

NUISANCES

Article 1. Nuisances Generally

8.10.010. Application.

The provisions of this chapter shall apply to all property throughout the City of Rio Dell wherein any of the conditions, hereinafter specified, are found to exist; provided, however, that any condition which would constitute a violation of this chapter, but which is duly authorized under any other City, state or federal law, shall not be deemed to violate this chapter.

8.10.020. Definitions.

For the purposes of this chapter, the following words shall have the specified meanings:

(A) Blight. For purposes of this Code, visual blight is any unreasonable, non permitted or unlawful condition or use of real property, Premises or of building exteriors which by reason of its appearance as viewed from the public right-of-way, *is detrimental to the property of others or to the value of property of others, offensive to the senses, or reduces the aesthetic appearance of the neighborhood. Visual blight includes, but is not limited to, the keeping, storing, depositing, scattering over or accumulation on the Premises any of the following:*

- (1) Lumber, junk, trash, debris, scrap metal, rubbish, packing materials, building materials, and the growth of tall grass and weeds.
- (2) Abandoned, discarded or unused objects or equipment such as furniture, stoves, appliances, refrigerators, freezers, cans or containers, automotive parts and equipment.
- (3) Abandoned, wrecked, disabled, dismantled or inoperative vehicles or parts thereof except inoperative vehicles that are not abandoned and are in an active state of renovation or restoration. For purposes of this article, "active state of renovation or restoration" means that the vehicle is actively being restored or renovated in a manner intended to make the vehicle operational, and shall not include restoration or renovation that solely improves the interior or exterior appearance, but not the operation, of the vehicle. A vehicle shall only be permitted to be in an active state of renovation or restoration for a period that shall not exceed ninety days, whether consecutive or non-consecutive, out of any twelve-month period.
- (4) Stagnant water or excavations.
- (5) Any personal property, object, device, decoration, design, fence, structure, clothesline, landscaping or vegetation which is unsightly by reason of its condition or its inappropriate location.

(6) Vehicles parked on any surface other than an "improved surface" or "driveway" as those terms are defined.

(7) Any condition of a building or structure deemed to be unsafe or that in the discretion of the City Manager or his/her designee, or the Department Head, would constitute a threat to public safety, health, or welfare, or poses a security problem by reason of dilapidation, fire hazard, disaster, damage or other similar occurrence specified in this Code or any other applicable law.

(8) Any condition of a building or portion thereof which constitutes a substandard building, as defined in Health and Safety Code Section 17920.3 or its successor.

(9) Filling of any swimming pool with water prior to the final safety inspection required by the California Code of Regulations, conducted by City inspectors and before such final inspection has been noted on the permit card obtained from the City.

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~~(B) **Hearing Committee.** The appeal shall be heard by a committee (the "Hearing Committee"). The Hearing Committee shall consist of two Members of the City Council and the City Manager, plus one alternate City Council Member to facilitate timely hearings pursuant to this ordinance and resolve any potential conflicts of interest. The alternate City Council Member shall only participate in appeals where one of the other two City Council Members is unable to serve due to scheduling concerns or a conflict of interest. City Council Members shall be selected to serve on the Hearing Committee at the same time that other committees are formed by the City Council. Committee members shall not participate in the hearing process in cases when the member has had a substantial personal involvement with the party requesting the hearing and that personal involvement is a conflict of interest. The Hearing Committee shall be advised by the City Attorney to ensure proper legal procedures are followed and adhered to.~~ **Hearing Officer.** The appeal shall be heard by a hearing officer who has a contract with the City to perform such a role. He or she shall be an attorney in good standing or otherwise capable of conducting the hearing.

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(ii) To introduce documentary and physical evidence;

(iii) To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;

(iv) To impeach any witness regardless of which party first called that witness to testify;

(v) To rebut the evidence against him or her;

(vi) To represent himself or herself or to be represented by anyone of his or her choice.

(b) If a party does not proficiently speak or understand the English language, that party may provide an interpreter, at that party's own cost, to translate for the party. An interpreter shall not have been a resident of the Premises or have had any personal relationship with or involvement in the parties or issues of the case prior to the hearing.

(8) Official Notice. In reaching a decision, the Hearing ~~Committee~~ Officer may take official notice, either before or after submission of the case for decision, of any fact which may be judicially noticed by the courts of this state or which may appear in any of the official records of the City or county, or any of their departments.

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(9) Inspection of the Premises.

(a) The hearing officer may inspect the Premises involved in the hearing prior to, during, or after the hearing, provided that:

(i) Notice of such inspection shall be given to the parties before the inspection is made;

(ii) The parties consent and are given an opportunity to be present during the inspection; and

(iii) The hearing officer shall state for the record during the hearing, or file a written statement after the hearing for inclusion in the hearing record, upon completion of the inspection, the material facts observed and the conclusions drawn there from.

(b) Each party shall then have a right to rebut or explain the matters so stated by the hearing officer either for the record during the hearing or by filing a written statement after the hearing for inclusion in the hearing record.

(c) Notice to the parties or the owner(s)' consent to inspect the building and surrounding properties is not required if the property can be inspected from areas in which the general public has access or with permission of the other persons authorized to provide access to the property on which the building is located.

(E) Form and Contents of the Decision; Finality of Decision.

(1) Format of ~~the Hearing Committee's Officer's~~ Decision. The Hearing ~~Committee Officer~~ shall issue a written decision containing findings of fact and a determination of the issues presented. The Hearing ~~Committee Officer~~ may affirm, modify or reverse the Administrative Citation, Notice of Violation or the Notice and Order imposed by the City or find that the imposition of the penalty is not warranted or is not in the interest of justice.

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(2) Contents of ~~the Hearing Committee's Officer's~~ Decision. If it is shown by a preponderance of all the evidence that the condition of the Premises constitutes a violation of the Rio Dell Municipal Code or is a public nuisance as defined in this chapter, the decision shall declare the Premises to be a public nuisance and shall order and require the appellant to abate the nuisance not later than ten (10) calendar days after the issuance of the decision or, if ten (10) calendar days is insufficient to abate the nuisance, within such other time as specified by the Hearing ~~Committee Officer~~ not to exceed sixty (60) days. The decision shall inform the appellant that if the nuisance is not abated within the time specified, the nuisance may be abated by the City in such manner as may be ordered by the Department Head and the expense thereof made a special assessment lien upon the property involved. This is in addition to any other legal remedies that the City may choose to compel compliance.

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(3) Service of the Hearing ~~Committee's Officer's~~ Decision. Upon issuance of the decision, the City shall serve a copy on the appellant by first class mail to the address provided by appellant in the written notice of appeal. The Hearing ~~Committee's Officer's~~ decision shall be deemed served three days after the date it is mailed to the address provided by the appellant.

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(4) Finality of ~~the Hearing Committee's Officer's~~ Decision. The decision of the Hearing ~~Committee Officer~~ on an appeal of an Administrative Citation, Notice of Violation and or a Notice and Order shall constitute the final administrative decision of the City and shall not be appealable to the City Council or any committee or commission of the City.

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Article 6. Enforcement of Hearing Committee Order

8.10.280. Generally

After any Administrative Citation and/or Notice of Violation or any decision of a Hearing ~~Committee Officer~~ made pursuant to this chapter has become final, no person to whom any such order is directed shall fail, neglect or refuse to obey such order.

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8.10.290. Failure to Obey Order—Abatement by City.

(A) If, after any notice of violation or any order of a ~~the~~ Hearing ~~Committee Officer~~ made pursuant to this chapter has become final, the person to whom such order is directed shall fail, neglect or refuse to obey such order, the Department Head is authorized and directed to cause the nuisance to be abated by City personnel or private contract. In furtherance of this section, the Department Head shall obtain a warrant, if required, and thereafter is expressly authorized to enter upon the Premises for the purpose of abating the nuisance.

(B) Additionally, any person who fails to obey such order shall be guilty of a misdemeanor punishable as specified in Section 8.10.070(a)(2) of this chapter.

8.10.300. Interference with Work Prohibited.

No person shall obstruct, impede or interfere with any officer, employee, contractor or authorized representative of the City, or with any person who owns or holds any estate or interest in any Premises on which a nuisance exists and which must be abated under the provisions of this chapter, whenever such officer, employee, contractor or authorized representative of the City, or person having an interest or estate in such Premises is engaged in the work of abating any nuisance as required by the provisions of this chapter, or in performing any necessary act preliminary to or incidental to such work authorized or directed pursuant to this chapter.

8.10.310. Costs of Abatement.

(A) The Department Head shall keep an account of the costs and expenses of abating such nuisance, and the City shall render a statement of such costs to the person or persons receiving the notice to abate.

(B) Such person or persons receiving the notice of violation or decision of the hearing officer shall be liable to the City for any and all costs and expenses to the City involved in abating the nuisance. Such costs and expenses are due upon receipt of the statement required in subsection (A) of this section.

(C) Costs and expenses as referred to in this section shall include all costs allowed to be recovered by law, including attorneys' fees as allowed by Government Code Section 38773.5 or its successor.

8.10.320. Procedure for Assessing Costs.

If the person liable to pay the costs of abatement fails to do so within thirty calendar days of receiving the statement of such costs, the City may initiate proceedings to have such costs assessed against the real property or Premises on which the City abated the nuisance. Such proceedings and notice of such proceedings shall be performed in accordance with Section 54954.6 of the California Government Code. The costs of abatement shall be treated as a new assessment for purposes of Section 54954.6. No majority protest rights exist for this assessment. The Department Head shall present to the City Council a report of costs for abating the nuisance at the public meeting required by Section 54954.6.

8.10.330. Assessment of Costs—Special Assessment Lien Against Property.

(A) The total cost for abating a nuisance shall constitute a special assessment against the Premises to which it relates, and upon recordation in the office of the county recorder of a notice of lien, shall constitute a lien on the property for the amount of such assessment. The procedure for collecting abatement costs through a special assessment lien shall be in accordance with California Government Code Section 38773.5.

(B) After such recordation, a copy of the lien shall be turned over to the county assessor, who shall then enter the amount of the lien on the assessment rolls as a special assessment. Thereafter, said amount shall be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and the same procedure under foreclosure and sale in case of delinquency as provided by Government Code Section 38773.5 and as provided for ordinary municipal taxes.